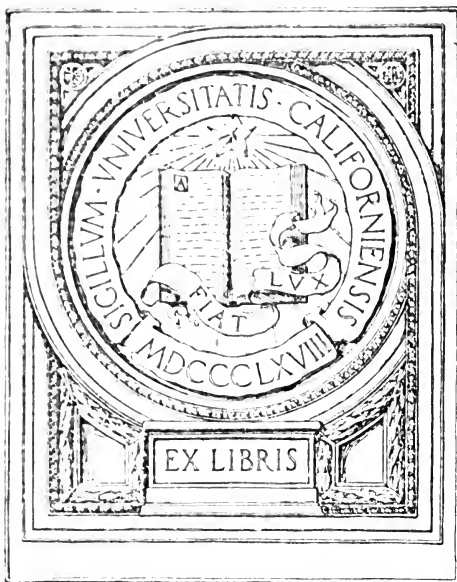




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**THE HISTORY OF THE  
FAMILY OF DALLAS**

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91  
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93  
94  
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96  
97  
98  
99  
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JAMES DALLAS



THE HISTORY OF THE

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**THE HISTORY OF THE  
FAMILY OF DALLAS**  
**And their Connections and Descendants  
from the Twelfth Century**

**BY THE LATE  
JAMES DALLAS, F.L.S. ETC. OXFORD**

**WITH ILLUSTRATIONS AND  
GENEALOGICAL TREES**

**PRINTED PRIVATELY BY  
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## EDITOR'S NOTE

THE late Mr. James Dallas, F.L.S., etc., Oxford, was Secretary of the Antiquarian Society and Curator of the local museum at Exeter. Latterly he was engaged in the preparation of Dr. J. H. A. Murray's *New English Dictionary* till the time of his death on 12th September 1916. From earliest years he was greatly interested in genealogy, and collected a mass of information regarding the histories of many English and Scottish families. He was latterly occupied in writing a history of the family of Dallas. He had not completed his work at the time of his death.

The editor, who had corresponded with Mr. Dallas for years, considered that his voluminous collection of material should be preserved as far as possible for future reference, and determined to print his family history. On revising Mr. Dallas's manuscript, the editor observed that in many places Mr. Dallas had not finished his work, and it devolved upon the editor to supplement his investigations by completing unfinished accounts of several families, and introducing others which had escaped Mr. Dallas's notice.

The work is still incomplete, but the editor has done his utmost to place before the reader all the available material at his command in the hope that those interested in the family history might avail themselves of the opportunity afforded of tracing their genealogy.

C. S. R.

EDINBURGH, *June* 1921.



# CONTENTS

## CANTRAY HISTORY

	PAGE
INTRODUCTORY . . . . .	3
WILLIAM OF RIPLEY . . . . .	22
SIR WILLIAM OF DALLAS . . . . .	28
THOMAS OF DALLAS . . . . .	33
JOHN OF DALLAS . . . . .	35
HENRY OF DALLAS . . . . .	37
JOHN OF DALLAS . . . . .	38
ARCHIBALD OF DALLAS . . . . .	41
JOHN OF DALLAS OF EASTERFORD [OR ATHELSTANEFORD] . . . . .	44
HENRY OF DALLAS OF CANTRAY . . . . .	56
WILLIAM DALLAS OF CANTRAY . . . . .	58
HENRY DALLAS OF CANTRAY . . . . .	63
ALEXANDER DALLAS OF CANTRAY . . . . .	68
ALEXANDER DALLAS II. OF CANTRAY . . . . .	111
MARJORY DALLAS OF CANTRAY . . . . .	116
WILLIAM DALLAS II. OF CANTRAY . . . . .	139
ALEXANDER DALLAS III. OF CANTRAY . . . . .	160
ALEXANDER DALLAS IV. OF CANTRAY . . . . .	166
WILLIAM DALLAS III. OF CANTRAY . . . . .	176
JAMES DALLAS OF CANTRAY . . . . .	181
WILLIAM DALLAS IV. OF CANTRAY . . . . .	185
DALLASES IN THE BRAE OF CANTRAY . . . . .	191
DALLAS OF PETSAL . . . . .	199

## BUDGATE HISTORY

	PAGE
WILLIAM DALLAS I. OF BUDGATE . . . . .	217
WILLIAM DALLAS II. OF BUDGATE . . . . .	221
WILLIAM DALLAS III. OF BUDGATE . . . . .	223
ALEXANDER DALLAS I. OF BUDGATE . . . . .	225
ALEXANDER DALLAS II. OF BUDGATE . . . . .	229
WILLIAM DALLAS IV. OF BUDGATE . . . . .	236
WILLIAM DALLAS V. OF BUDGATE . . . . .	238
JOHN DALLAS I. OF BUDGATE . . . . .	247
DALLAS OF KIRKMICHAEL . . . . .	274
HUGH DALLAS I. OF BUDGATE . . . . .	282
JOHN DALLAS OF BANNANS . . . . .	291
ROBERT DALLAS, WRITER, EDINBURGH (MUSSELBURGH FAMILY) . . . . .	293
WILLIAM DALLAS VI. OF BUDGATE . . . . .	296
DALLAS OF ST. MARTINS . . . . .	321
DALLAS OF PARKLEY . . . . .	357
DALLAS OF DALLAS CASTLE, JAMAICA . . . . .	366
STEWART DALLAS OF CASTLEBARN . . . . .	367
DALLAS OF NORTH NEWTON AND WALMSGATE . . . . .	370
THE LATER DALLAS OF NORTH NEWTON . . . . .	380
DALLAS OF RIDDOCH HILL . . . . .	385
DALLAS IN GALCANTRAY . . . . .	387
DALLAS CORRESPONDENCE WITH THE MARQUIS OF WELLESLEY AND WARREN HASTINGS . . . . .	410
DALLAS OF BRACKLIE OR BRACKLEY AND THE REBELLION OF 1745 . . . . .	431
DALLAS IN ELLERIG . . . . .	443
DALLAS IN INVERNESS . . . . .	447
DALLAS IN CULLODEN, INVERNESS PARISH . . . . .	454
DALLAS IN CROY . . . . .	457
DALLAS IN PETTY . . . . .	459
DALLAS OF INCHGEDDLE AND CALDER PARISH . . . . .	462

# CONTENTS

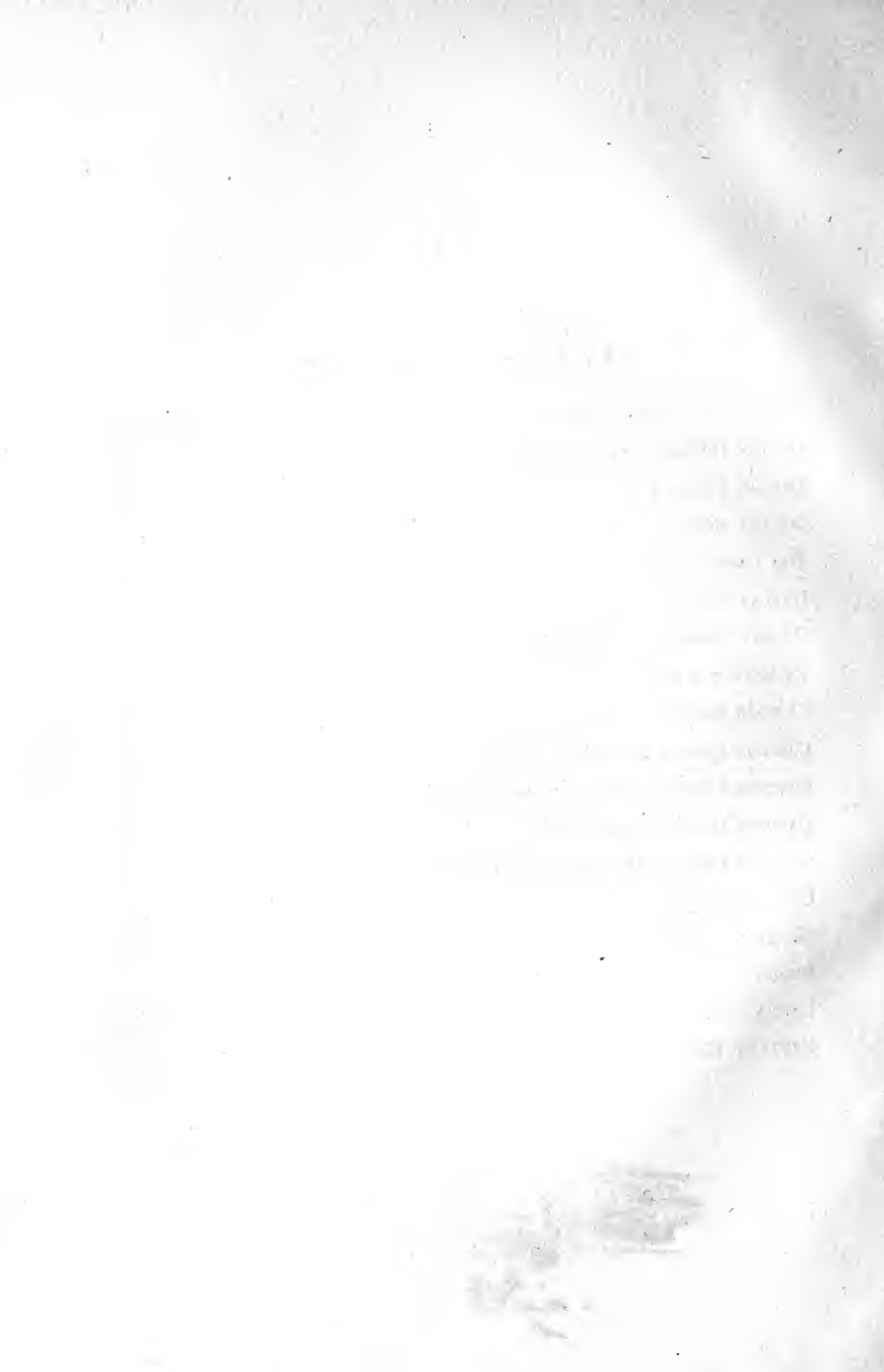
ix

	PAGE
DALLAS IN NAIRN . . . . .	466
DALLAS IN DYKE PARISH . . . . .	469
PARISH RECORD EXTRACTS . . . . .	471
DALLAS IN EDINBURGH . . . . .	485
DALLAS IN ISLAY . . . . .	488
DALLAS IN FORFAR AND KINCARDINE SHIRES . . . . .	490
ROBERT DALLAS OF DALLAS CASTLE AND DALLASES IN AMERICA . . . . .	495
DALLAS IN JAMAICA . . . . .	517
DALLAS IN FRANCE AND NEW ZEALAND . . . . .	520
DAVIDSON OF CANTRAY . . . . .	521
CANTRAY HOUSE . . . . .	523
MODERN REGISTERS . . . . .	525
DALLAS OF JAMAICA AND CONNECTIONS . . . . .	538
PRICE AND WRIGHTSON . . . . .	553
CANTRAY TREE (1165-1770) . . . . .	572
BUDGATE TREE . . . . .	575
PETSAL TREE . . . . .	577
SIR GEORGE DALLAS OF PETSAL TREE . . . . .	579
INDEX . . . . .	581



## ILLUSTRATIONS

PORTRAIT OF JAMES DALLAS . . . . .	<i>Frontispiece</i>
DALLAS CHURCH AND MICHAEL CROSS . . . . .	PAGE 33
DALLAS VILLAGE . . . . .	33
DALLAS BRIDGE . . . . .	48
TOR CASTLE . . . . .	48
DALLAS LODGE . . . . .	113
DALLAS BRIDGE AND VILLAGE . . . . .	113
KILRAVOCK CASTLE . . . . .	128
CAWDOR CHURCH . . . . .	128
CAWDOR CASTLE FROM NORTH-WEST . . . . .	193
CAWDOR CASTLE, KING DUNCAN'S BEDROOM . . . . .	193
CAWDOR CASTLE, DINING-ROOM . . . . .	208
CAWDOR CASTLE, MANTELPiece IN BLUE ROOM . . . . .	208
CLAVA STONES . . . . .	289
CAWDOR BRIDGE . . . . .	289
BRODIE CASTLE . . . . .	304
RAIT CASTLE . . . . .	304
CANTRAY HOUSE . . . . .	512





# CANTRAY HISTORY



## INTRODUCTORY

THE Barony or Lordship of Dallas, from which the family takes its name, is an extensive tract of land in the shire of Elgin on either side of the River Lossie, often referred to as Strath Dallas. The spelling of the name has varied considerably from time to time, the following being probably a fairly complete list of the 'forms' from the earliest recorded period, arranged after the manner of the Oxford *New English Dictionary*, 3 indicating those anterior to the year 1300, 4 those anterior to 1400, and so forth :—

3-4 Dolays, Doleys, 3-7 Doles, 4 Dolais, 4-7 Dolas, 5 Dolase, Dolesse, 5-7 Doless, Dolace, 6 Dollis, Dallyas (unique : on the seal of William Dallas of Budgate, attached to a deed dated 20th November 1510), Dolless, Dollece, 6-7 Dollos, 6-9 Dollos, 7 Dolass, Dolloss, Dolos, Dollous, Dolose, Dallais, Doilies, Doilis, Dolaes, Doloas, Dollors, Dollers (Index to the Register of Burials at Holyrood), 7-8 Dalas, 7-9 Dallace, Dallass, 8 Daless, 9 Dalass, 7- Dallas.

Many surmises have been hazarded regarding the origin or derivation of the name. Lachlan Shaw, in his *History of Moray*, suggested that the etymology was Gaelic, *dale*, a valley (apparently meaning *dail*, a meadow, field, or plain), and *uis* (correctly *uisge*), water, thus describing the well-watered valley of Strath Dallas, and this is the only plausible etymology that has appeared until recently.

In Anderson's *Scottish Nation*, speaking of the family, not of the place, the ludicrous assertion is made that the surname was originally De Lossie, taken from the River Lossie, which, as has been said, runs through the barony ;

but though this might conceivably have given a name to a family, it could not possibly do so to a district.

The absurd suggestion that the name was originally not territorial but personal, from the alleged Gaelic *dolas* (an error for *dall*), blind, is hardly worthy of serious mention.

In a modern edition of Jervaise's *Funeral Monuments*, the editor says: 'Dallas (Dal-es) appears to mean the River Haugh, and the Kellas (Keal-as), the narrow river, is quite descriptive of the latter district as compared with the former.' The Kellas forms the southern portion of the modern parish of Dallas.

The most recently published derivation of the name appears, however, in Professor Watson's *Place-Names of Ross and Cromarty*, where the etymology of Little and Meikle Dallas, in Ross-shire, is as follows: 'Gaelic *Dalais mhor* and *Dalais bhig*. It is never used with the article. The old form, as compared with the modern Gaelic, shows the common transition from *o* to *a*, cf. Culboky, G. *cul-bhàicidh*; *-ais* is the Pictish ending seen in *Allt-ais*, etc., and the first syllable is to be equated with *dol* in *dolmen*, used in place-names in the sense of "plateau." Dallas is thus a Pictish word meaning "place of the plateau," which describes its situation.'

Having submitted the forms occurring at various dates in Morayshire and Inverness-shire to Professor Watson, he has, in amplification of the above etymology, further explained that the *dol* of *dolmen*, to which he refers, is a loan from the Latin *tabula*, and that it is to the Welsh *dól* that he should have referred. He goes on to say that 'Dallas in Elgin is the same as that in Ross. The present Gaelic of it is *Dalais*, showing the common change of old *o* to *a* in modern Gaelic. *Dol* is to be compared with Welsh *dól*, a plain. It is Pictish and closely connected with *Dull*, Gaelic *Dul*. Most of the Dal- names in Inverness-shire are in Gaelic *Dul*, e.g. Dalcrag in Stratherrick, Gaelic *Dul-chrag*, etc., etc. These *Duls* are often plateaux above water. *Dul* is probably the

same root as *duilleach*, a leaf; not a loan from Norse *dal*, but a genuine Celtic word. The ending *-ais* has been rightly explained by M'Bain as representing a primitive (proto-Celtic) *vostis*, *ḃortu*, Gaelic *fois*; the same word we have in Foss, G. *Fas*, in Perthshire. Thus Dallas would be in full *Dal-fhais*, Stead on the Flat.'

This, it may be concluded, is the last word upon the etymology of the name of Dallas.

The extent of the ancient lordship of Dallas corresponded precisely with that of the same property in later days, and was then, as now, approximately 17,000 acres in total area. The barony lies wholly within the shire of Moray, its most northerly point being about  $8\frac{1}{4}$  miles S.S.W. of Elgin and 5 miles S.S.E. of Forres. The boundary, starting from the extreme north, begins at a point on the Black or Lochty Burn less than a quarter of a mile to the east of Bognie, in the parish of Rafford, and follows a slightly zigzag southerly course over the hill of Mulundy, through Blackmyre, Mill Buie, and Clashninian, then passes south-eastward across Loch Dallas, the waters of which are almost entirely included within the barony, and thence nearly due south to the summit of Cairn Kitty, leaving Loch Noir just outside the boundary. From Cairn Kitty the line runs at an acute angle in a north-easterly direction past the easternmost of the Lochs of Little Benshalag and to the north of the Loch of the Cowlatt, thence passing more or less irregularly north-east through Souldow to a point on the upper reaches of the Lennoc Burn, which thence flows northward through Glen Latterach, joining the Lossie below Lennochside, and is throughout its course external to the barony. From the Lennoc Burn the boundary proceeds in a straight line through Cairn Uish to the neighbourhood of Woodhead, south of the Hillhead of Kellas, and thence passing over the hill of the Wangie and through Wangie Wood, rejoins the point on the Black or Lochty Burn already indicated.

The barony is of a somewhat irregular shape, and is from the extreme northerly point at the Black Burn to the extreme south at Cairn Kitty approximately  $8\frac{1}{4}$  miles in length, but a straight line drawn between these points occasionally lies just outside the boundary and to the west encloses but a very small area of the barony, which lies almost entirely to the east of it. The extreme breadth of the lands, measured from Clashninian on the west to Lennoc Burn on the east, is about  $5\frac{1}{8}$  miles, and the land to the south of a line joining these two points forms a figure closely approaching an equilateral triangle.

There can have been little, if any, change in the physical aspect of the country since these lands were granted to William of Ripley towards the close of the twelfth century. Then, as now, it was doubtless 'considerably diversified with rising grounds and beautiful straths lying between the hills, the principal of which runs through the length of the parish along the river.' The hills were then, as now, largely covered with heather, and doubtless the river banks from the earliest days afforded a suitable environment for a luxuriant growth of alders, from the bark of which the inhabitants formerly obtained a rich black dye. To the south still stands the imposing Cairn Kitty, rising to a height of 1711 feet, and below it lie the Lochs of Little Benshalag and Loch Trevie. From the latter, which is about eight miles above the church, and from Loch Noir the River Lossie takes its rise, and flows through the heart of the barony until, at the south end, it dashes over a rock thirty feet high, and emerges on the lands of Kellas, formerly church property, whence in due course it reaches the sea at Lossiemouth.

In the north of the barony again may still be located the lands of Blackhills, to which John of Dallas of Easterford made, apparently unsuccessful, claim in the year 1453; but nowhere is there a vestige of any building which in olden days might have given shelter to the ancient lords of Dallas.

It may indeed be probable that at Torchastle, to the east of the Lossie and of the modern village of Dallas, the early barons made their home, but there is no evidence to support such a supposition. On the other hand, Tor Castle, on the western side of the river, a ruined fragment of which still remains, may have been erected upon the site of an earlier edifice. This fortalice of the Cummings is, however, known to have been built by Sir Thomas Cumming of Altyre, and to have been designed by the notorious Robert Cochrane, *soi-disant* Earl of Mar, who was hanged over the bridge of Lauder in July 1482 by some of the Scottish nobles in resentment of the lavish favours bestowed upon him by King James III. Cochrane's earliest advancement at Court appears to have taken place in 1476, in which year also Sir Thomas Cumming obtained a Great Seal charter of the lands and barony of Dallas. From this it may be assumed that Tor Castle was at all events in the course of erection at about this period. There is, however, no reason why it may not have been built upon the site of an earlier and less imposing structure.

The ancient church of Dallas stood where the present church now stands, on the western bank of the River Lossie, about eight miles south-west of Bernie church and seven miles north of the church of Knockando. It was dedicated to St. Michael, and was in Roman Catholic times the seat of the subdean of Moray. It is frequently mentioned in the Moray Episcopal Registers, but there is no record of its erection or dedication. It was doubtless the church of the early lords of Dallas, and possibly to them it owed its original foundation. The ancient church appears to have fallen into ruins early in the seventeenth century after having been repaired in 1580, and about the year 1627 a humble heather-thatched structure was erected in its place. In a niche on the outside towards the top of the east gable stood a carved figure of St. Michael (probably derived from the earlier building), of which the damaged trunk is still preserved in

the vestibule of the present kirk. This church, in its turn, fell into decay, and a new one was erected in 1794, which still stands and has been recently restored. In the churchyard, in fair preservation, is an ancient stone cross, known as St. Michael's Cross, formerly the 'Market Cross,' to which, as late as the year 1808, according to Nicholas Carlisle, the topographer, the cattle and effects of bankrupts were brought to be sold.

The parish, originally a parsonage, has from an early period included not only the barony of Dallas, but also the lands of Craigmill and Branchill. Later the parish of Altyre was, for ecclesiastical purposes, annexed to that of Dallas, and when, in 1657, Altyre was transferred to the parish of Rafford, Easter Kellas was annexed to Dallas, these alterations in the two parishes being ratified by Parliament in 1661. These various annexations and changes do not imply any alteration in the parish boundaries, which now, as formerly, include an area of 23,024·823 acres.

The earliest reference to the church and ecclesiastical parish of Dallas appears to be in a confirmation by Bishop Andrew of Moray, of the prebends instituted in the Cathedral Church of Elgin by his predecessor, Bishop Brice or Bricius, and of others newly founded by himself. This document was dated at Elgin, 5th May 1226, and for the endowment of one of the prebends thereby established were assigned the altarage of Eren and the chapel of Innernarren, '*quam prebendam assignavimus subdiaconatui nostro, et cui adjunximus ecclesiam de Dolays Mychel cum omnibus ad eandem ecclesiam juste pertinentibus, salvis nobis et successoribus nostris terris que dicuntur ejusdem ecclesie esse de Dolays Mychel per suas rectas divisas cum omnibus justis pertinentiis suis, ita tamen quod predicta ecclesia habeat mansum competens juxta ecclesiam cum crofto competenti, et salvis nobis et successoribus nostris in eadem ecclesia de Dolays Mychel episcopalibus.*' One of the numerous church-



men who signed this charter was 'Symon vicarius de Dolays Michel,' the earliest cleric to be identified with the benefice.

This endowment was confirmed in a later constitution of Bishop Andrew in almost identical terms, while in the statutes approved by the Bishop and Chapter of Moray in 1242, '*receptum est et approbatum ut in ecclesia cathedrali perpetualiter sit subdecanus et habeat ad suam sustentationem et in prebendam ecclesiam de Dolays Mychel salva dicto Episcopo dimidia dauacha terre apud Dolays Mychel que est de mensa Episcopi et salvis episcopalibus in eadem ecclesia.*'

There are but few further notices of church or parish to be found in the Episcopal Register. About the year 1350, amongst the '*Procuraciones debite Episcopo*' for the deanery of Elgin, the Church of Dolasmychel is valued at forty shillings, while for the '*Synodatica episcopatus Moraviensis*,' at the same date, the parson of Dolas is charged with two shillings. Fifty years later, amongst the '*Procuraciones Moravienses recentioris evi*,' for the procurations of the deanery of Elgin, the Church of Doless Michael is charged with forty shillings, while in the register of valuations of benefices in the diocese in 1561, 'the parsonage of Doles belonging to the sub-deanery is given up for five chalders, two bolls, and three firloths.'

The church lands referred to in the charters above briefly cited, though situated within the confines of the barony, were clearly no part of the baronial possessions, and very shortly after the date of the earliest record, in the year 1232, they were granted in excambion to Duncan, the son of Gillemychel McAth, who was thus holding Dallas lands simultaneously with the earliest progenitors of the Dallases. Though this Duncan has apparently no place in the Dallas pedigree, it seems desirable to record the exchange effected between him and the Bishop:—

*‘Escambium super terra de Dolays Michel et dauacha  
terre in Strathardol*

‘Omnibus sancte matris ecclesie filiis hoc scriptum visuris vel audituris Andreas permissione divina Moraviensis episcopus eternam in Domino salutem. Noveritis universi nos de consilio et voluntate et consensu decani et capituli nostri dedisse et concessisse et hac presenti carta nostra confirmasse Duncano filio Gillemychel M’ath totam terram nostram de Dolays Mychel per rectas divisas suas et cum omnibus justis pertinentiis suis, tenendam de nobis et successoribus nostris sibi et heredibus suis in feodo et hereditate, quam scilicet terram dedimus predicto Duncano in escambium unius dauache terre in Strathardol que appellatur Petcarene. Quare volumus ut predictus Duncanus et heredes sui habeant et possideant predictam terram de Dolays Mychel, et teneant eam de nobis et successoribus nostris in feodo et hereditate libere, quiete, plenarie et honorifice in escambium prenominate terre de Petcarene, reddendo inde forinsecum servitium domini Regis quod ad predictam terram pertinet de Dolays Mychel, et sequendo curiam nostram, et de omni exactione et servitio alio ad nos vel successores nostros pertinentibus ipse et heredes sui perpetuo liberi erunt et quieti. In premissorum autem firmum et indubitabile testimonium hanc cartam nostram appositione et appensione sigilli nostri et capituli nostri cum subscriptionibus canonicorum fecimus roborari. Testibus Thoma priore de Urchard, fratre Nicholao vallis crescentis, Radulpho, Symone et Mauricio capellanis nostris, Johanne et Andrea, Alexandro de Duglas, Andrea Wysman, Symone de Orreby, Thoma dispensatore, Waltero coco, Waltero marescallo servientibus nostris. Actum gratie M<sup>o</sup>CC<sup>o</sup>XXXII., vii. Kalendas Augusti.’ (*Reg. Epis. Morav.*, 79, p. 87.)

‘Symon decanus Sancte Trinitatis de Elgyn,’ the third

on the list, was no doubt identical with Simon, vicar of Dolays Michel, already referred to in 1226.

No further reference to this Duncan or to his descendants has been met with, nor are the church lands of Dallas again referred to in the Episcopal Register until, in the Rental of the bishopric of Moray in 1565, they are recorded as being in the possession of John Cummyng, and 'solven in anno liiis. iiij*d.* firme, duas quaterias marte, duos mutones, unum hedum, unam aucam, sex capones, duas bollas avenarum, tres bollas aride multure, gressuma tantum, cum serviciis.' (*Ibid.*, p. 442.) After the Reformation these church lands appear to have been incorporated with the barony, and to have passed into the possession of Cumming of Altyre. Shaw records that in the Collector's Books referring to the church lands belonging to the diocese of Moray the kirktown of Dallas is credited with a feu duty of £5, 12s. 2d.

It has always been supposed, from the name and location of the family, that it was of native Celtic origin, and that it was lineally descended from the Mackintoshes. The more commonly accepted view, however, is that it was a small but independent clan affiliated to Mackintoshes or to Clan Chattan. In Adam's *What is my Tartan?* it is definitely stated that Dallas is dependent upon Mackintosh, and similar statements are to be found elsewhere. The available facts are, however, insufficient to substantiate the idea of dependence. The few notices of the early barons give no indications of close relations with Clan Chattan, and in later times the Dallases are found much more intimately associated with the lairds of Cawdor and Kilravock than with the Mackintoshes. In 1513 Henry Dallas of Cantray joined with the Mackintoshes in what is known as the second heirship of Petty, but his being married to a daughter of John Keir Mackintosh of Rothiemurchus might well account for the part he took in the affair. Again, in a 'contract of appoyntment betwix the Laird of Calder and M'intosche' in 1581, Alexander

Dallas of Budgate is mentioned as one of the ' kin ' of Lachlan Mackintosh of Dunachten, but he too was married to a Mackintosh, which may account for the relationship. Other instances of kinship or of friendship might be cited in support of the contention that the Dallases were affiliated to Clan Chattan. Dallas of Cantray and some of his kinsmen served with the Mackintosh Regiment on the disastrous field of Culloden, but these facts seem hardly sufficient to establish the position that the Dallases, like the MacGillivrays, Macbeans, Macqueens, and others, were incorporated in the great Celtic Clan Chattan.

The question may be considered from another point of view. The landed property in the north-east of Scotland, in the dioceses of Aberdeen and Moray, had been from an early period largely in the hands of immigrants from the lowlands or from England.

Clustered together in the fertile valleys of this district were a number of feudal families of lowland origin and name, such as the Bissets, the Roses, the Cheynes, the Hays, the Frasers, the Barclays, and the Grants, all of whom appear as the holders of greater or lesser estates during the earliest years of the thirteenth century, but seldom earlier. The circumstances which led to this settlement are obscure, yet something may be deduced from the facts which have been transmitted to us concerning the early history of the province of Moray. It is recorded that during the reign of King Malcolm iv. a rebellion broke out amongst the turbulent natives of the district sufficiently serious to induce the King in person to lead an expedition for its suppression in the year 1161, and it is said that on its successful conclusion the entire population of Moray was transplanted to the south, particularly to the shires of Kirkcudbright and Wigtown, and was replaced by settlers from the lowlands, having at their head feudal lords to whom the King had granted the forfeited lands of the ejected inhabitants, many of whom derived their origin from

the Anglo-Norman adventurers who are known to have left England for Scotland during the period of the earliest Plantagenet kings. Improbable as is this story of the complete displacement of the native population in itself, it is rendered still more improbable from the fact that during the succeeding reign similar rebellions broke out amongst the Moravians, for the suppression of which William the Lion led more than one expedition to the north, the first having been undertaken apparently in the year 1179 and the last in 1196. It was doubtless as a reward for military services rendered during these expeditions that the lands of Moray were apportioned amongst those lowland knights and soldiers whose descendants are found settled there in the following century, and to their presence was due the anglicisation of the province and the introduction of those Anglo-Norman feudal customs which were unknown in the further highlands until centuries later.

Amongst these fortunate recipients of lands in what even then must have been 'the granary of Scotland' was doubtless William de Ripley, who is mentioned in an interesting charter by King Alexander III. as the 'progenitor' of Sir William of Dallas in 1280. From that charter, quoted in its place, it appears that the lands of Dallas Michael were granted or confirmed to William de Ripley by King William the Lion, presumably at the close of the twelfth century.

Before entering upon the history of the family, the editors here insert an account of the Manse, Croft, and Mill, written for Mr. Dallas by the late Rev. John Low Brown, minister of the parish of Dallas.

It was about this date that the word 'manse' came into use as the residence of the parochial clergy. The 12th Canon of the Provincial Councils of the Scottish Church (1237-1286) has a proviso for 'a proper parsonage house to be built near every church within a year's time,' and the 12th Statute of the Provincial Council of 1557 provided that every curate

1226.  
Manse and  
Croft.

in charge of a parish church should have a manse and garden, with a stipend of twenty merks annually in the dioceses of Aberdeen, Moray, Ross, Orkney, and Caithness, and twenty-four merks in the other dioceses.

There would doubtless be a 'croft' as part of the church lands in Dallas as elsewhere, which after the Reformation became a provision for a glebe and minister's grass sufficient for one horse and two cows.

About 1759 the condition of the church and manse is described as ruinous—the church, and probably also the manse, being humble, heather-thatched structures, liable to be partially unroofed by gales—and heads of families were called upon to bring a back-burden of heather to repair the damage.

There is no record of the building of the aforesaid manse, but the church seems to date from about 1627. It was in a niche in the eastern gable of this church that there was placed a stone effigy of St. Michael, the mutilated remains of which are still preserved. It was not till 1782 that a new manse was erected, and it gave place in 1905 to the present commodious house. The present church was built in 1793, and was the subject of a pretty complete restoration in 1903.

Glebe.

The present glebe of Dallas extends to about 12 acres arable, and is situated in equal parts on the north and south sides of the Lossie, the manse and church occupying a central position on the north bank of the river. Previous to 1754 almost the whole of the glebe and grass lands belonging to the benefice were on the south side of the river, and lay 'discontiguous' to the manse. In 1754 a process of excambion was completed, whereby the more outlying portion of the glebe was exchanged for certain lands belonging to Sir Robert Gordon of Gordonstown, lying behind the manse and church, and which now form the portion of glebe on the north side of the river. In 1858 another modest excambion

was made, when it became necessary to encroach on the glebe so as to obtain access to the new bridge over Lossie on the east, and when a small cottage to the west of the manse became the property of the benefice in exchange.

By decree of Court dated 5th February 1800, the stipend of Dallas was fixed as follows :—

Ecclesiastical  
Income.

Teinds of Craigmill and Branehill	£30	6	0
„ „ lands and estate of Dallas	37	8	2½
„ „ Kellas—Earl of Fife	20	7	9½
Item 200 merks of vicarage of the parish of Auldearn, conform to use and wont	11	2	2½
	<hr/>		
	£99	4	2·068
To make up a stipend of £150, plus £8, 6s. 8d. communion elements, there is paid by the Exchequer annually			
	£59	2	6
In 1894, under the Smaller Livings Scheme, a voluntary endowment was raised yield- ing annually			
	30	4	0
And in 1906, Lord Mountstephen included Dallas in his trust, per annum			
	100	0	0
	<hr/>		
	£288	10	8
Annual value of glebe	10	0	0
	<hr/>		
	£298	10	8

The origin of the 200 merks payable by the heritors of Auldearn to the minister of Dallas is obscure. The sum has been paid seemingly for 250 years, and although the Crown has more than once challenged it, they have found it too securely settled to overturn it. The origin of it probably goes back to the time when the parson of Auldearn was dean and the parson of Dallas subdean under Elgin, the former making a grant of 200 merks to the latter for services rendered

in connection with the Cathedral. The subdean had a manse at what is now Dean's Crook, Elgin.

The rule, 'decimae debentur parocho'—teinds belong to the parish, 'is now strictly enforced, but the teinds were at one time allowed to be diverted to other parishes than those from which they were derived when the titular (being the party in right of the teinds) consented, or did not object—it being a matter of no moment to the parties *from* whom they were exigible, *to* whom they rendered them.' (*Church of Scotland, Past and Present*, vol. v. p. 595.) It must have been under some such circumstances that this grant was made and which still remains valid. The only ground on which it could have been successfully challenged would have been if there had been free teind in Dallas—there being, of course, none.

Free Teind or  
Unexhausted  
Teind.

(1) The five shillings payable by Clova to Dallas must be included in the 200 merks, though I have not the details by me. Clova must, however, be, or have been, within the parish of Auldearn; otherwise I have no knowledge of the sum.

(2) The sum of £5, 12s. 2d. payable from the kirktown of Dallas was a burden on the barony for bishop's teinds; these, I understand, were all claimed by the Crown, and probably still are paid to the Crown. Out of existing bishop's rents the stipend of the Gaelic charge in Inverness (£250) is still paid.

Kirktown.

The only vestige of the kirktown left is in a quaint thatched cottage at Lossiebridge opposite the Cardingmill, called *Kirktown Green*, which no doubt is the site of what was the kirktown of Dallas. It was never more than a hamlet with a very few houses, a school and teacher's house, and a traditional 'shop' for local merchandise.

St. Michael's  
Well.

There is no tradition known to me as to any virtues associated with St. Michael's Well. If ever there was a built well, it has long since disappeared. The spring issues from



the steep bank of Lossie, half-way up the bank, just opposite the church and churchyard. The bank is exposed to the full force of the current at the point, and there may have been a built well near the level of the water, but if so, it has now disappeared. Wells dedicated to the Virgin usually had virtues ascribed to them, and no doubt many saints' wells also, into which votive offerings of silver coins were dropped, were supposed to have virtue to realise the 'wish' then in the mind of the offerer. There is also a pool near the well still known as the 'Michael Pool.'

Each property had its own mill; that for the barony was, Flour Mill and still is, at Craigroy, a mile above the manse, and it is not likely that there ever was a flour mill at the Cardingmill. Was there wheat to grind? Barley was ground at the meal mill, or *struck* by each householder in their own 'knocking stones,' many crofts still possessing these.

In 1668 Cuming of Altyre sold Dallas estate and barony to Sir Ludovic Gordon of Gordonstoun; Sir Robert Cuming some years previously having married Lucy, Sir Ludovic's eldest daughter. It was through this marriage that the Gordonstoun property fell in 1795 to the Cummings as heirs of entail. Sale of  
Dallas to  
Gordon-  
stoun.

The Dallas estate was put up for sale, and offers were received up to 20th December 1907. There was a tedious and prolonged lawsuit, which ended in Sir W. Gordon Cumming reserving a portion of the moor, and this restricted the bounds of the original barony. Probably a tenth part of the area of the barony is thus detached from the original bounds, say 1500 acres. Roughly, this area lies along the west boundary of the estate in an irregular strip, and lies between a line drawn from the Cairn of the Leanoeh to the Knowe of Loch-i-nore, thence by a straight line to a point on the Knockando march, forming the base of a triangle of which Cairn Kitty is the apex. The parish boundary to the west forms the other line. The area lying within is the reserved ground.

Dallas  
Lodge.

What is now Dallas Lodge stands on the site of a previous house, built by Sir Robert Gordon of Gordonstoun about 1688. The original design was to be a complete circle of buildings, after the circular steading at Gordonstoun, but nothing more than a semicircle was ever completed. Some three-fourths of this semicircle remains, terminating on the west side in a large granary; the other end of the semicircle formed the dwelling-house proper, and in the centre of this semi-periphery was and is an archway or bow.

Dallas Lodge comprised this original dwelling portion till recent years, but only the doorway of the present house marks the spot where the semicircle ended.

The Lodge lies snugly on the south side of Melundy Hill, which carries a thriving young plantation of firs, a rather flat stretch of ground lying on the other three sides. It is being adorned by fresh and extensive planting, and will by and by take on more of the appearance of a residence for the property. I know of no other site or residence of importance in the barony.

Catechisable  
Persons.

Catechisable=examinable persons, *i.e.* persons not under twelve years of age who were liable to be examined in religious knowledge at the minister's visitation of his flock, and also who presumably should attend church. The statutory accommodation of parish churches had to take account of catechisable persons—usually they would form about two-thirds of the total population.

Population.

From 1728-38 the population of Dallas was computed at 700.

In 1778 at 915.

„ 1801 „ 888.

„ 1811 „ 871.

(A detailed list of this census is given in the Kirk Session Record—name, occupation, residence, and age.)

„ 1821 „ 1015.

In 1831 at 1153. (A pretty complete census of 1830  
also found in a small notebook  
by the late schoolmaster.)

„ 1841 „ 1179.

„ 1851 „ 1226.

„ 1861 „ —

„ 1871 „ 1060.

„ 1881 „ 930.

„ 1891 „ 860.

„ 1901 „ 738.

„ 1911 „ 656.

From these figures it will be gathered that the population of Dallas two hundred years ago was probably as great as it is to-day. It reached its highest about the middle of last century, when the then Sir William Gordon Cumming encouraged the settlement of small holdings, which were improved out of the moorland by the tenants at first, at a nominal rent. The decrease of population now is largely due to these small holdings having fallen out of cultivation or being added to neighbouring holdings. In the last eighty years no fewer than 127 holdings and cottar houses have disappeared, only the names remaining. In recent years emigration accounts in some measure for the decrease, but it is due much more to the disappearance of the small holding.

In 1811, in the details of the population, there is no trace of any family or holding on the site of the present village. Rise of the  
Village. It is believed that the first house was built by the then minister, Rev. Richard Rose, who was translated to the parish of Drainie in 1816. The building of the first house may be placed about 1814. Advantage was taken of a ninety-nine years' lease, with four Scotch acres of land allotted to each house, by the proprietor, and the village seems to have sprung up quickly, for by 1831 there were in it twenty-nine inhabited houses and six uninhabited, with a population of 135 persons.

In the 'Moray floods' of 1829 all the lower rooms of the village were flooded. At the present date there are forty-five inhabited houses, three uninhabited, and a population of 137 persons. There was no inn previous to the rise of the village.

Post Office.

Before 1880 the postal arrangements were rather primitive. Letters were delivered at a dingy cottage and laid on the counter, and the public selected each their own out of the general correspondence. Thereafter a regular postmaster was appointed and order introduced into the receipt and delivery of letters. A money-order office soon followed, and about a dozen years ago the telegraph was extended from Forres under a seven years' guarantee, during which time the guarantors paid to the Post Office a sum of about £90, being half the deficiency on the working expenses. Since then the Post Office has maintained the system, which has proved a great boon to the community.

Torchastle.

The name does not belong at all to the fortalice built by Cumming, and whose architect was Cochrane. Simply because it was nominally a castle the name got transferred to it. If 'Tor' means a knoll, then there is no such natural feature about the site of the fort, while there is a marked one at Torchastle. The spelling a hundred years ago was Turacastle, and the older Dallas people pronounce the name Torchastle with the 'ch' soft, as in loch. Before the date of the village there was a considerable population on the east side of the river, where the farms of Torchastle and Hillockhead now are, and I think this was the chief seat of the population in quite early times, and that it is quite likely that one should look here for any house occupied by the early possessors of Dallas. The site would command a view north, west, and east, with the sweep of Lossie round two sides of it, and by climbing the hill to the south another wide view could be obtained in that direction.

Bridge.

The iron structure at the Cardingmill had no predecessor ;

there was only a ford till about 1858, when the present bridge was built. The stone bridge of a single arch near the ruins of the fort is called the 'Donall Brig,' over the Donall Burn.

We have nothing further to add beyond remarking that it is most probable that Torcastle and Hillockhead indicate that these were the sites of the original barony and seat of the local jurisdiction, where probably there had been a mote and a wooden castle, as proved by Dr. J. H. Round (*Quarterly Review*, 1894, 'Geoffrey de Mandeville,' Appendix O), and subsequently ably dealt with by Dr. George Neilson (*Scottish Review*, vol. xxxii. pp. 209-38) and Mrs. Armytage (*Early Norman Castles of the British Isles*). See also *Melrose Regality Records*, Scottish History Society, vol. vi. new series, p. xxxi of Introduction.

Lachlan Shaw refers to a Tower of Dallas built about 1460. (*Highland Papers*, by J. R. N. Macphail, K.C., vol. i. p. 123.)

## WILLIAM OF RIPLEY

OF William of Ripley, apparently the first feudal possessor of the lordship of Dallas, one solitary glimpse has been obtained, and that from a charter of the year 1279, hereafter to be quoted, in which he is recorded as the 'progenitor' of Sir William of Dallas, and as having held the lands of Dallas Michael under a grant or confirmation of King William the Lion, who began his long reign in the year 1165 and died in 1215.

As to the parentage of this earliest ancestor of the Dallases, it is safe to conclude that nothing will ever be accurately known. We may, at least, assume that he was a cadet of the important family of Ripley of Ripley Castle in Yorkshire, who were at a very early period benefactors of Fountains Abbey.

Some particulars of this family have been preserved in the 'Copies and Extracts from Original Charters and Religious Houses in the County of York,' collected by John Burton, for an opportunity to consult which we are indebted to the kindness and courtesy of the late Lord Herries, who owned the manuscripts. Unfortunately, the charters recorded in these collections are undated, but they appear to be of the twelfth century, and furnish us with the following information.

Thomas, son of Roger de Rippelay, gave to the Abbey of Fountains two bovates of land in Ripley and two acres of meadow lying nearest to Braitheng or Bridheng, in the territory of Ripley, his relict, Margaret, quit-claiming her dower therein.

Thomas, son of Roger de Rippeley, confirmed a grant by William de Goldeburg, 'serviens domini Regis,' of the land of Goodwynscales in Ripley, to the Abbey.

Roger, son of Thomas, son of Roger de Rippeley, confirmed to the Abbey all the lands which his father had given, and added thereto three acres of land in a culture lying on both sides of Halesic.

Bernard de Rippeley, clerk of Ripley, and Richard de Rippeley, his brother, granted certain lands in Caiton in Ripley to the Abbey; the witnesses being William, son of Rod. de Aldefeld, Walter the Aleman, Robert de Mulwath, Richard de Rondeclive, William de Salleia, Nicholas de Caiton, and Walter Siciñg. The seals of Bernard and Richard are appended, the former apparently representing an angel, or possibly a churchman standing robed, with the legend *Sigill. Bernardi de Rippeila*. (Dr. Burton's *Copies and Extracts*, vol. iv. 277-9.)

There are two charters by these persons which may be quoted as giving further genealogical information:—

‘Noverint omnes Sanctæ ecclesiæ filii presentes et futuri quod Ego Bernardus de Rippelei dedi et presenti carta confirmavi Deo et ecclesiæ Stæ. Mariæ de Fontibus unam viam quadraginti pedum Latitudinis, a ponte, scilicet Rivuli de Rippelei qui est juxta domum Thomæ de Ulecotes per medium Nordscon usque ad calcedum de Dalbec, et west de grangia sua de Kaituna juxta Frostunmel, concessi etiam eis locum et firmationem unius stagni super Ripam predicti Rivuli de Dalbec, et Reflexum Fontis unius ad trahendum ad officinas prenominatæ grangiæ suæ; qui fons est in latere montis cujusdam ex alia parte deversus Rippelei contra pomerium de Kaitun. Hæc omnia monachis predictæ ecclesiæ in puram et perpetuam elimosinam dedi, et super altare Sanctæ Mariæ de Fontibus obtuli pro salute animæ meæ, et pro anima patris et matris meæ et omnium antecessorum meorum, soluta, quieta et libera ab omni servicio et exactione seculari de me et eis qui post me erunt imperpetuum. Teste Rad. abbate St<sup>æ</sup> Agathæ de Richemund, et Ricard. capellano loci canonico, Roger. clerico de Hewic,

Ricard. capellano de Rippelei, Nich. fratre Bern., Rad. fil. Audelini cum filiis suis Guil. et Ric. ; Gerlone et Gregorio nepotibus Bern., Ric. Turpin, Wm. de Middleton.' (*Ibid.*, vol. iii. 310.)

'Omnibus videntibus et audientibus hanc cartam presentibus et futuris Ric. de Rippeleia Salutem. Sciatis me dedisse et hac presenti carta confirmasse Deo et monachis ecclesiæ St<sup>æ</sup> Mariæ de Fontibus in puram et perpetuam elemosinam pro salute animæ meæ et omnium antecessorum meorum liberum Transitum per terras de Rippeleia sine warda facta omnibus advenis suis et hominibus suis grangiæ de Caitun usque ad pasturam grangiæ suæ de Birnebem. Hii sunt testes : Guill. Rob. Ricardus filii mei Ricardi, Nicholaus de Caitun, Jno. Ostiarius, Tho. fil. Roberti de Tornetun, Ernaldus fil. Rob<sup>ti</sup> serviens mei Ricardi.' (*Ibid.*, vol. iii. 307.)

Finally, in a synopsis of the estates of the monastery of Fountains, Swyne, and Nunkeling granted by patent to Sir Richard Gresham, 1st October 1540, it is recorded that in the twelfth century, William, son of Richard de Rippelay, gives to the monastery in frank almoign, in the territory of Rippelay, all land, as the brook which runs between the bounds of Catton and Rippelay descends from the pool of Catton, etc. They are to enclose with a hedge or ditch. He gives them a right of way in his fee of Ripplay, except in corn and meadow, and confirms the gifts of his ancestors of lands in Ripley. Witnesses, Bom, his brother ; Hervey de Stanley ; Nicholas de Catton ; Robert de Munketer ; and three others. Red seal, floriated, with legend. (*Hist. MSS. Commis. Rept.*, vi. Appendix 359.)

Here may be left the question of the ancestry of William de Ripley, with the suggestion that amongst these numerous twelfth-century Ripleys his ancestor may perchance have been casually included.

It is probable that William de Ripley himself assumed



the name of his barony, and in later years was styled 'of Dallas,' but of this there is no evidence. Besides his eldest son and successor, Sir William of Dallas, he appears to have been the father of Archibald of Dallas and of Alexander of Dallas, whose names are recorded on an inquisition held at Inverness, 27th November 1262. The relationship of these two brothers to William de Ripley is not indeed disclosed, but it is of interest to note that the lands of Mefth, the possession of which formed the subject of the inquest, were given to Yothre MacGilhys by King William the Lion, not improbably at the same time that William de Ripley received the charter of the lands of Dallas Michael; and as Ewan, thane of Ratthen, the great-grandson of Yothre, was doubtless a young man at the time of the inquisition, the inference presents itself that Archibald of Dallas was the son of William de Ripley and the brother of Sir William of Dallas. The document is at all events given below as the first authentic mention of the surname of Dallas:—

'INQUISITIO FACTA SUPER TERRA DE MEFTH, A.D. 1262

'Inquisicio facta apud Invernys die Lune proxima ante festum Beati Andree Apostoli anno, etc., lxiijº coram episcopo Rossensi et Alexandro Cumyn justiciario Scocie et A. de Monte Forti vicecomite de Elgyn et A. de Swineton per Thomam Wisman, Willelmum Wisman, Archebaldum de Doleys, Alexandrum fratrem suum, Jacobum de Brennath, Adam filium Roberti, Walterum de Alveys, Andream Wishey, Henricum de Seleltosh, Macbeth de Dych, Hugonem Ranald, Willelmum filium Turpun, Michaellem filium Abraham, Willelmum de Brennath, Johannem de Oggiston, Gilpatrich MacGilbeg et Johannem Fabrum de Ineys, super terra de Mefth cum pertinentiis scilicet utrum antecessores Eugenii Thani de Rattheñ tenuerint dictam terram de domino Rege et antecessoribus suis hereditarie, in capite et si dictus E. et heredes sui dictam terram de domino Rege de jure debeant

tenere hereditarie secundum tenorem brevis domini Regis eidem justiciario super hoc directi. Omnes jurati dicunt quod dominus Rex Willelmus dedit dictam terram de Mefth cum sua domo in castro de Elgyn et uno rete super aquam de Spe et cum pertinenciis Yothre MacGilhys hereditarie per servicium unius servientis et faciendo exercitum Scoticanum qui dictam terram cum dictis pertinenciis in tota vita sua eodem modo tenuit et postea Eugenius filius ejus avus prefati Eugenii et Anegus filius ejus pater istius Eugenii et iste Eugenius similiter hucusque prefatam terram predicto modo pacifice de domino Rege in capite tenuerunt hereditarie nec aliquid noverunt propter quod idem E. et heredes sui dictam terram de cetero de domino Rege de jure hereditarie tenere non debeant.' (*Act. Parl. Scotl.*, vol. i. (91) 101.)

It is to be noted that Eugene, thane of Rothnoych, was, with Sir William of Dallas, witness to the charter of Lamabride, presently to be referred to, and is probably to be regarded rather as a contemporary of Sir William than of Archibald of Dallas.

W. de R. c. 1200	Yothre M'G.
A. de D.	Angus.
Sir Wm.	Eugene.

It may be pointed out that on this jury was William, son of Turpun, while to the charter of Bernard de Ripley, above quoted, Richard Turpin was a witness.

It has been conjectured that about this period the lands of Cantray, or at least part of them, came into the possession of the family. There is preserved at Kilravock an inventory of titles, the first entry in which runs as follows :—

'Charter of donation by Marjory de Moravia, widow of Sir Alexander de Strivlyn, to her daughter Isobel, and the heirs of her body, of the lands of Cantra Freskin, with the mills,

woods, fishings, and other pertinents, to be held of the granter in fee and heritage, for yearly payment of a pair of gloves, or a penny money at the feast of Pentecost, in name of all duties and demands whatever.' No date; but in the time of Archibald, Bishop of Murray, who is one of the witnesses, and a contemporary of King John Balliol.' (*Kilr.*, 120.)

Cantray, or at least part of it, was included in the lordship of Croy, and formed part of the vast possessions of the Morays of Bothwell. Cantray Freskyn, or, as it was afterwards more usually called, Cantray Freis, would appear to have been given in dower to Marjory of Moray, who was a daughter of Sir Freskyn (de Moravia) of Kerdale. She married, according to Dr. Taylor (*Edw. I. in the North of Scotland*), in the year 1210, Sir Alexander of Stirling, thereafter apparently styled 'of Moravia,' and she was certainly his wife before the year 1234. (*Reg. Mor.*, 99.) She seems to have bestowed the lands of Cantray Freskyn upon her daughter Isobel, upon her marriage with a person unnamed, but who may well have been Archibald of Dallas, or the grant may have been later than the date of Isobel's marriage, as it was subsequent to her father's death. Bishop Archibald held the see of Moray from the year 1253 until his death in 1298, so that little can be adduced from the fact that he was a witness to the charter of Marjory of Moray.

## SIR WILLIAM OF DALLAS

THE earliest record of Sir William of Dallas is to be found in an undated charter of Sir Malcolm of Moray, Kt., granting to his son, William of Moray, his lands of Lamabride, the attestation clause to which runs as follows: 'Hiis testibus venerabili patri domino A. Dei gratia episcopo Moraviensi, domino W. priore de Hurchard, dominis Gilberto de Glenchernie, Willelmo de Haya de Lochorwill et Michaelae de Wemys militibus, Eugenio Thano de Rothnoych, Willelmo de Doles, Willelmo Wysman, Johanne de Pethindreich, et multis aliis.' (*Reg. Mor.*, 461.) This charter was therefore granted before Sir William of Dallas was knighted, and therefore in or before the year 1278. In the following year (1279) he obtained from King Alexander III. a charter of confirmation of his lands of Dallas Michael, to which reference has already been made. He is here described as a knight. The charter is in the following terms:—

'Alexander Dei gratia rex Scottorum omnibus probis hominibus tocius terre sue salutem: Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Willelmo de Dolays militi pro homagio et servicio suo terram de Dolays Mykel per easdem diuisas per quas bone memorie quondam Willelmus avus noster infeodavit quondam Willelmum de Rypeley progenitorem suum Tenendam et habendam sibi et heredibus suis de nobis et heredibus nostris in feodo et hereditate in bosco et plano in terris et aquis in pratis et pascuis in moris et marisiis in stagnis et molendinis cum socco et sacca cum furco et fossa cum tol et them et infanganthef et cum omnibus aliis justis pertinenciis suis libere et quiete

plenarie et honorifice per servicium quarte partis vnus militis saulvis episcopo Moraviensi illis duobus solidis quos de dicta terra pro decima sua annuatim percipere consuevit. Testibus Roberto episcopo Glasguensi Alexandro Cumyn Comite de Buchan Willelmo de Moravia Johanne de Lyndesay Domino Hugone de Abirnethy Willelmo Cumyn de Kilbrid Reginaldo le Chen patre Galfrido de Mubray Willelmo de Sancto Claro Symone Fraser Patricio de Graham et multis aliis. Apud Strivelyn quinto die Septembris anno regni nostri tricesimo primo.'

This charter is preserved in the Register House, Edinburgh. It will be observed that several of those named as witnesses, such as William of Moray, Simon Fraser, and Patrick of Graham, were closely associated with the province of Moray.

Several later charters are still extant in which Sir William of Dallas is recorded as a witness: these may be enumerated *seriatim* without further comment:—

'Charter by Gilbert, third lord of Glenkerny, knight, to Gilbert, his eldest son, of the land of Gerbothy, dated 2nd February 1280: Testibus, dominis Johanne de Striuelyn, Johanne Prat, Willelmo de Dolays, militibus; Jacobo de Mar, magistro Henrico cancellario Morauienti, domino Johanne archidiacono Morauienti, domino Radulpho subdecano Morauienti.' (*Grant*, iii. 7.)

'Charter by Gilbert of Glencarny to Duncan of Feryndrawcht, of the east davoch of the land of Conynges, assigned to the period 1281-98: hiis testibus, venerabilibus patribus, dominis Dei gracia Archebaldo et Henrico episcopis Morauienti et Aberdonensi, dominis Reginaldo le Chen et Willelmo de Dolays, militibus, magistris Willelmo de Cressewell cancellario Morauienti, domino Johanne de Dundee, prebendario de Duffhus, Laurencio de Strathbolgy, A . . . filio Stephani, Johanne Walensi, Roberti de Jonistoun, Gilberto de Glencarny filio et multis aliis.' (*Grant*, iii. 7.)

'Charter by John of Moray, son of Sir Malcolm of Moray,

to William of Moray, his brother, of the lands of Culnacloych and Ruthtrelen, ascribed to the year 1284: *Hiis testibus, domino Willelmo comite de Ros, domino Willelmo comite Suthirlandie, Johanne de Strivelyn et domino Willelmo de Dolays militibus, dompno Willelmo priore de Hurchard, domino Symone priore de Pluschardy, Adam de Moravia, Willelmo de Lectona et multis aliis.* (*Reg. Mor.*, 462.)

‘Charter by Hugh Herock, burgess of Elgin, to the chapel of St. Nicholas in the church of the Holy Trinity, and to the chapel of the Holy Cross (Sancte Crucis) in the parish church of Elgin, of the lands of Daldeleyt, dated 8th September 1286: *Hiis testibus domino Andrea abbate de Kynlos, domino Simone priore de Pluscardy, domino Willelmo priore de Urcharde, domino Willelmo de Doleys milite, Willelmo Wysman, Willelmo de Brenneth dicto Tatenel, Ada filio Stephani burgensi de Elgyn, magistro Rogero de Innernarryn, domino Roberto vicario de Dufhus, domino Nicholas capellano vicario de Dundurkhus et multis aliis.*’ (*Reg. Mor.*, 283-5.)

Finally, an undated indenture between Simon Joannes Suryass, prior of Pluscardine, and William of Innes, of that ilk, following the settlement of their marches by the arbitration of Archibald, Bishop of Moray, and William, prior of Urquhart, is witnessed by Sir John of Moray and Sir William of Dallas. (*Fam. Innes*, 10.)

Sir William of Dallas must have been living throughout that eventful period of Scottish history from the death of Alexander III., in the year 1285-6, to the accession of Baliol in 1292, recorded by Barbour:—

‘Quhen Alexander the king wes deid,  
That Scotland had to steyr and leid,  
The land sex yeir, and mayr perfay,  
Lay desolat eftyr hys day;  
Till that the barnage at the last  
Assemblyt thaim, and fayndyt fast

To cheyss a king thar land to ster,  
 That off awncestry cummyn wer  
 Of kingis, that aucht that reawte,  
 And mayst had rycht thair king to be.' (*Bruce*, i. 37-46.)

What part the lord of Dallas had in the troubles of those times there is little to show, but that he was a person of considerable importance is evident from the fact that he held, at least towards the end of his life, the office of Sheriff of Forres. To this office he must have been appointed by Alexander III. at a date so far undiscovered, though the only evidence of his shrievalty is in two receipts still preserved, the one amongst the Tower and the other amongst the Chancery Miscellaneous Rolls preserved amongst the Scottish Documents in the Record Office, London. The first of these is the acknowledgment of the receipt by Henry de Biche, castellan of Forres Castle, on Saturday, Candlemas, 1291 (1st February 1291-2), by the hands of William, the clerk to Sir William of Dolays, the Sheriff of Forres, of the sum of £18, 6s. 8d. sterling of the farms of the burgh of Forres, for keeping the castle: the seal of de Biche, appended at Elgin, is no longer extant. (*Doc. Illus. Hist. Scot.*, ii. 563.) The second receipt, dated 15th May of the following year, is here given in full:—

‘Omnibus has litteras visuris vel audituris, Henricus de Bycher [*printed* Ryther], castellanus de Elgin et de Forays, per dominum Edwardum regem Angliæ et superiorem dominum regni Scotiæ constitutus, salutem in Domino. Noveritis universi me die Jovis in festo Ascensionis Domini anno gratiæ M.CC nonagesimo secundo recepisse per dominum Willelmum de Dolays [*printed* Bolays] vicecomitem de Forays, de firmis balliæ suæ anni prædicti, quadraginta et quinque libras et duodecim solidos sterlingorum legalium, nomine vadiorum meorum pro custodia castrorum de Elgin et de Forays. In cujus rei testimonium has litteras meas eidem domino Willelmo tradidi patentes. Datæ apud Elgin anno et die prænotatis.’ (*Doc. Illus. Hist. Scot.*, i. 298-9.)

There is here nothing to show whether Sir William of Dallas was a follower of Baliol or of Bruce, but amongst the principal supporters of Bruce in the north in 1306 Dr. Taylor (*Edward I. in the North*, p. 284) enumerates, besides the Earl of Atholl and the Bishop of Moray, Allan of Moray of Culbin, Sir William of Fentoun of Beauford, William of Dallas, John de la Haye, Walter Herock, dean of Moray, and William Creswell, the chanter, Alexander Pilche, burgess of Inverness, William of Moray of Sandford, Hamelyn de Troup and Andrew Slegh ; Andrew Byssop and Adam Chapen of Aberdeen ; Lawrence of Strathbogie, John Forbes, Hugh Lovel, Allen Durward of Fichelie, and Thomas of Monymusk ; while among the opponents of Bruce and supporters of the English interest were the Earl of Buchan, Sir Duncan of Ferindraught, Sir Reginald the Chen, the Earl of Ross, and the Earl of Sutherland. Dr. Taylor gives no authority for these lists, and it may be that for 'William' he should have written 'Thomas' of Dallas. If, however, Sir William of Dallas was living as late as the abdication of Baliol, it may be assumed from the fate which overtook his successor that he threw in his lot with the national party against the upholders of England. There appears to be no authentic record of his career later than the receipt of 1292 already quoted.







*J. D. Yeadon, Photographer, Elgin.*

DALLAS CHURCH AND MICHAEL CROSS



*J. D. Yeadon, Photographer, Elgin.*

DALLAS VILLAGE

## THOMAS OF DALLAS

LITTLE is found of Thomas of Dallas beyond the fact that he was opposed to the English interest. Dr. Taylor affirms that he was forfeited by Edward I. in 1306, and this is confirmed by certain entries in a breviary of the petitions or requests presented to the King for lands or preferment in Scotland, and of the grants made thereon. The roll is indorsed : 'Les demandes que furent faites au Roy des terres en Escosse en lan de son regne xxxiiii' ; and the entries relating to Thomas of Dallas are as follows :—

'Item le xviii. jour d Augst au Neuborgh en Tyndale pria au Roy Mons. Alexandre de Setone les terres Thomas de Dolays.

'Item Aliain ad demandez les terres Thomas de Dolays en Moreve que ne valent que x. livres per annum.

'Item Mons. William Conte de Sutherland ad demande des terres Thomas de Dolays.' (*Palgr. Doc.*, 310, 313, 314.)

No indication has been found of the events leading to the forfeiture of Thomas of Dallas, but it is not improbable that he was one of the followers of the patriotic William Wallace.

Wallace had defeated the English at Cambus Kenneth in 1297, but was himself defeated at Falkirk on 22nd July of the following year. He still, with the assistance of his faithful companion-in-arms, Sir Andrew Moray of Petty and Bothwell, appears to have maintained a guerilla warfare against the adherents of England, and he was one of the very few who never swore fealty to England.

Little is known of his wanderings after the disaster at Falkirk, but tradition affirms that for a time he found refuge in the hills of Cromarty, and that he was even at Nairn on one occasion. Wherever he was, he must have been accompanied by a few staunch adherents, of whom Dallas may have been one. It is recorded by Wyntoun and Bower that Wallace was taken prisoner near Glasgow, apparently about April 1305 ; he was executed at Smithfield on the August following, just a year before the petitions for Dallas's lands in Moray were preferred, and it appears quite likely that the Dallas forfeiture was in some way related to the downfall of the great Scottish patriot.

## JOHN OF DALLAS

JOHN OF DALLAS, presumably lord of Dallas, appears on an assize summoned by Sir Archibald of Douglas and John the Hay, Sheriff of Inverness, for the settlement of a dispute between Alexander, Bishop of Moray, acting on behalf of the prior and monks of Pluscardine, and Sir Robert of Chisholm of Quarrelwood (who was owner of the lands of Cantrabundie and Little Cantray, which later passed in marriage to Hugh Rose, fourth baron of Kilravock), concerning the mill lands of Quarrelwood which were claimed by the priory. This assize was held on 14th December 1369, and was thus constituted:—

‘Nicholaus de Suthirlandia, Walterus Byseth, Robertus de Innes, Johannes de Doleys, Johannes de Sancto Claro de Fores, Johannes de Uruel, Willelmus Soreys, Adam Popp, Willelmus Abbatis, Malisius Gerland, Thomas filius Willelmi, Willelmus de Anandia, Robertus Mykil, Adam de Pilmore, Robertus Popp, Willelmus Byseth. (*Reg. Mor.*, 168.)

Contemporary with John of Dallas was John of Dallas, thane or lord of Cromdale, who was a witness of the following homage of Hugh Fraser of Lovat for his episcopal lands of Kyntallirgy or Kyltarllyrgy and Esser or Esse:—

‘Anno Domini m<sup>o</sup>ccc<sup>o</sup>lx. septimo duodecimo die mensis Septembris in capitulo ecclesie Moraviensis Hugo Fraser dominus de Loveth portionarius terrarum de le Ard fecit homagium pro parte sua dimidie dauache terre de Kyntallirgy et de Esser et pro piscaria de Forn dicto domino Alexandro episcopo Moraviensi presentibus domino Willelmo de Keth milite mariscallo Scotie Thoma priore de Pluscardyn Andrea

Berclay domino de Garntoly Johanne de Dolas thano de Cromdol Adam Pyngill burgensi de Aberden et multis aliis.'

In the instrument following upon this homage, dated 12th December 1367, the names of the witnesses are given in the following clause :—

'Presentibus nobili viro et potente domino Willelmo de Keth milite mariscallo Scocie et tunc locum tenente domini Comitis Moravie, religioso viro domino Priore de Pluscardyn, Andrea de Berclay domino de Grantoly et Birkynhill, Johanne de Dolas, domino de Cromdol, Adam Pyngil burgensi de Aberden et multis aliis.'

## HENRY OF DALLAS

IN an interesting document published at length by Mr. Cosmo Innes, mention is made of Henry of Dallas, doubtless lord of Dallas, who was one of the jurors at a court held by Robert of Chisholm of that ilk, justiciary of the regality of Moray, at 'Le Ballocis Hill,' near Inverness, on the 26th January 1376-7, before :—

'Istos subscriptos nobiles viros dominos Robertum de Innes et Willelmum Pylchee milites, Alexandrum de Moravia dominum de Coulbyn, Hugonem de Rosee dominum de Kilravoc, Adam Fleming, Ingeramum de Wenton, Eugenium de Berkelay, Thomam de Brothy, Gilbertum de . . . on, Thomam de Wenton, Johannem de le Cow . . ., Willelmum lambe, Henricum de doles, et Laurencium Blac, cum pluribus aliis.' (Forbes, *Fam. Innes*, 63.)

The seals of the members of the assise, or at least some of them, were attached to this record, but they have all disappeared, and only that of Chisholm remains—on a fess between three boars' heads, three crenels or cushions.

## JOHN OF DALLAS

THE governing charter of the liberties of the burgh of Elgin, granted by John Dunbar, Earl of Moray, 1st May 1390, records as a witness John of Dallas, lord of Dallas, and though this charter has already been printed by Mr. Cosmo Innes (*Forbes, Innes*, 66), it may yet be appropriately introduced here:—

### ‘CARTA COMITIS JOHANNIS DATA BURGO DE ELGYN

‘Omnibus hanc cartam visuris vel audituris Johannes de Dunbarr Comes Moravie eternam in Domino salutem. Cum per tres mortalitates preteritas et oppressiones varias diversorum post obitum quondam auunculorum nostrorum Thome et Johannis Ranulphi comitum Moravie, qui pro defensione regni et re publice in bellis ceciderunt burgum nostrum de Elgyn in edificiis pro magna parte corruerit burgensesque partim mortui et alii affectioneribus vix valeant suam vitam et statum sustinere, nos volentes dictum burgum et burgenses et ipsorum statum releuare ad ipsorum requestum humilem et suplicationem deuotam seruissimam assise solitam quondam constabularis castri nostri de Elgin de singulis exceptis privilegiatis seruissimam in burgo ipso vendentibus persolvi de cuius solucone ipsum burgum et burgenses multum grauati fuerant ipsis et communitati dicti burgi pro se et suis successoribus inperpetuum ex speciali gratia remittimus et donamus pie et irreuocabiliter pro nobis et heredibus nostris et successoribus comitatibus Moravie. Ita quod nunquam decetero exigatur. Et vt constat omnibus nos voluntarie hanc gratiam seu privilegium dictam seruissimam assise non



soluendi dicte communitati fecisse et concessisse obligamus nos heredes nostros et successores comites Moravie Warantizare et defendere ipsis istam nostram donationem contra omnes homines et feminas et vniuersitates imperpetuum. Et in casu quo ipsi burgenses vel communitas trahantur in iudicium circa huiusmodi vel vexentur nos subrogamus et assignamus eis centum solidos de firma dicti burgi nobis debitos annuatim retinendos per ipsos in loco ipsius seruicie donec per nos heredes nostros et successores Comites Moravie repositi fuerint in plena et pacifica possessione eiusdem et hoc tocimens quociens ipsos super hoc contingeret molestari. In quorum omnium testimonium sigillum nostrum magnum presentibus fecimus apponi vna cum sigillo coniugis nostre domine Mariorie et cum sigillo domini Thome de Dunbarr filii nostri et heredis consentientium ad premissa. Presentibus Reuerendis in Christo patribus dominis Alexandro Dei gratia Abbate de Kynlos, Religioso viro domino Thoma priore de Pluscardyne, Magistris Willelmo de Spyny precentore Willelmo de Cheshelme Thesaurario ecclesie Morauiensis tunc cancellario nostro, Dominis Johanne de Haya domino de Tulybothuyle, Roberto de Cheshelme domino eiusdem, militibus, Hugone Fraser domino de le Louet, Johanne de Dolas domino eiusdem Alexandro de Ines domino eiusdem et multis aliis testibus ad premissa. Datum apud Elgyn primo die mensis Maij anno Domini millesimo ccc<sup>mo</sup> nonagesimo.'

Some three years later, on the 30th August 1393, John of Dallas was one of the jury summoned on an inquest for the retour of Robert Sibbald, a minor, as heir to his late father, John Sibbald, in the episcopal lands of Aldrochty, the names of the jurors summoned being: 'Robertus Cheshelme miles dominus ejusdem, Johannes de Dolas dominus ejusdem, Alexander de Ines dominus ejusdem, Willelmus de Cheshelme, Willelmus Hage, Willelmus Wysemen senior, Willelmus Wyseman junior, Reginaldus de Innerlochty, Willelmus

Vaws, Willelmus filius Michaelis, Thomas de Pilmor, Thomas de Kirkton, Johannes Walker, Andreas Fawconer, Johannes filius Cristini et Johannes filius Willelmi.'

John of Dallas must have died not long after this date, as at Michaelmas two years later another John of Dallas occurs as brother of the lord of Dallas, when he is witness to a Memorandum concerning the tenancy of the lands of Findrossy. (*Reg. Mor.*, 370.)

## ARCHIBALD OF DALLAS

THE earliest indication we have of the succession of Archibald of Dallas to the lordship is contained in a memorandum recording that the episcopal lands of Findrossy were held by one John Flathson, chief steward to the Bishop. This memorandum, dated 25th September 1395, does not indeed mention Archibald by name, but records the following witnesses: 'Reginaldus de Innerlochy tenens ejusdem, Johannes de Doles frater domini ejusdem, Michael Broun et David de Innerlocti.' This John of Dallas was doubtless brother of Archibald, and will be referred to later. (*Reg. Mor.*, 370.)

There is only one charter record of the name of Archibald of Dallas, who acted with others on a jury which tried one William, son of Thomas, for the theft of a black horse from Adam called Wode, the husbandman of William, Bishop of Moray, on the 3rd February 1398-9; the jury consisted of the following: 'videlicet Archibaldi de Dolas, Johannis de Galhagy, Thome de Urchard, Ferticii de Dun, Willelmi de le Hage, Johannis le Barde, Johannis Moravie, Willelmi Wyseman, Johannis de Dolas, Johannis de Kelor, Thome de Pylmore, Willelmi filii Michaelis, Malisei de Blary, Johannis Wilkyson, [et] Philippi filii Ade.' (*Reg. Mor.*, 212.) It is only fair to state that William Thomson was acquitted of this and other thefts of which he was charged.

That the connection of the family with their ancient baronial possessions terminated with this Archibald of Dallas is thus recorded by Hew Rose, the seventeenth-century historian of the family of Rose of Kilravock:—

'The auncient familie of Dollace of that Ilk was extinct.

It descended to Elizabeth Dollace, daughter and heir to Archibald Dollace of that Ilk, who, with consent of her husband, Duncan Fraser (a son of the familie of Lovat), did, in the year 1428, make over her right of Dollace to John Dollace of Easterfurd, her uncle, and heir male of the familie ; who in excambion of his lands in the south, gott from David, second (*i.e.* first) Earle of Crafurd, the lands of Budzet, in the year 1440 ; tho I find not why he recovered not the lands of Dollace, the patrimony of his familie.'

It may be mentioned that the above Duncan Fraser was the fourth son of Hugh Fraser of Lovat, who died in 1397, and is said to have been 'ancestor of the Frasers in Moray.' (Anderson's *Fam. Fraser*, 52.)

No confirmation of Hew Rose's statement has been found, but there can be little doubt that Archibald of Dallas got involved either in financial or political troubles, and the fact that he granted a wadset over the lordship of Dallas is evidenced by a writ dated 15th February 1422-3, addressed by Thomas Dunbar, Earl of Moray, to John the Hay of Lochloy, son and heir of William the Hay of Lochloy, who was still living in 1420.' (*Reg. Mor.*, 475.) In this writ the Earl writes to Hay :

'It is in fresch memore with you, as we understand, that throu certane tailye made betuix us and your fadir [William the Hay], ye are oblisit to spouse a douchtir of ouris, for the quhilk thing to be done we confermit to your fadir a tailye betuix him and the lord of Dolas apon the lordschip of Dolas, and forgeff till him fourty poundez, the quhilk suld haf bene paait til us for the relefe of that land,' etc. (*Fam. Kilr.*, 124.)

This writ does not substantiate the account of the termination of the family of Dallas of Dallas given by Hew Rose, but it proves that the last Dallas lord of Dallas, some time between the years 1398 and 1423, alienated his lordship to William the Hay of Lochloy, and a charter under the Great Seal, dated 2nd August 1476, proves that Hay's title was valid and complete, as from it we learn that his descendant and

heir, another William the Hay of Lochloy, transferred the whole of the lands of Dallas to Thomas Cumming of Altyre, in the hands of whose descendants they remained (though for a time they were alienated to the family of Gordon of Gordonstown), until this century they were purchased by Mr. J. H. Houldsworth of Coltness.

The death of Archibald of Dallas must have taken place about the end of the fourteenth century. Several writers have asserted that his daughter and heiress resigned her claim to the lordship to her uncle, John of Dallas of Easterford. Of this resignation no adequate evidence has been obtained.

[The editor has, however, found the following entry in the *Calendar of Papal Registers*, Papal Letters 8, 1427-47, p. 91, which may or may not refer to Elizabeth Doles, the heiress of Archibald Doles, but which certainly affects the author's remarks: '8 Kal. May, *SS. Apostoli Rome*, fol. 170:—To the Bishop of Moray: Mandate to dispense Martin Doles of the Diocese of St. Andrews, and Elizabeth Doles of the Diocese of Moray to marry notwithstanding that they are related in the third and third degrees of kindred by a common stock. Oblate nobis.']

## JOHN OF DALLAS OF EASTERFORD [OR ATHELSTANEFORD]

JOHN OF DALLAS OF EASTERFORD is accounted next brother and heir male of Archibald of Dallas, last lord of Dallas. He first occurs, as has been seen, in the year 1395, when he is described as brother of the lord of Dallas, and again, with his brother, Archibald of Dallas, in the year 1398. How he became possessor of the lands of Easterford, in Haddington, there is nothing to show. These lands were the property of the family of Montfort, a member of which, John of Montfort of Easterford, made submission to King Edward I. in 1295; he was doubtless a descendant of Alexander of Montfort, who was Sheriff of Elgin in 1263 (Taylor's *Edw. I.*, 142). It may be that John of Dallas married a daughter of one of these Montforts, and so acquired the property, but his first association with Easterford and with certain other lands is recorded in abstracts of a lost roll of infeftments of the reign of King Robert III., extending over the years 1397-1404, made about the year 1629 by an industrious Scottish lawyer, known as Robertson's *Index*, and which run as follows:—

‘[Carta] to John Dallas, of the lands of Herbertsheills, half land of Blacklawis, 4th part lands of Fisheartoun, in the barony of Kineff [In vicecom.], Kincardin.

‘[Carta] to ditto, of the lands of Elstandfurde, in the constabulary of Hadingtoun [In vicecom.], Edinburgh.

‘[Carta] given by John Doles to ditto [*i.e.* David, 1st Earl of Crawford] of the lands of Herbertsheills, half of Blacklawis, 4th part of Fischeartoun, in the barony of Bamf [In vicecom.], Kincardin.’ (Robertson's *Index*, 141-2.)

In a similar roll of the same reign extending over the years 1398-1406 were recorded other infeftments as follows :—

‘Carta by John Dallas, in wadset to Gilbert Graham of Morphie, of the lands of Blacklawis, and his part of the Fishertoun, in the barony of Kinneff [In vicecom.], Kincardin.

‘[Carta] by David, Earl of Craufurd, to John Dolas, of the lands of Boudingtoun, Newtoun, Balgerschache, in the barony of Innercarity [In vicecom.], Edinburgh [and] Forfar.’ (Robertson’s *Index*, 148.)

It seems not improbable that Hew Rose’s statement relative to the exchange of ‘lands in the south’ for those of Budgate, already quoted, may have been based upon these charters, which at least prove that exchanges of land took place between John of Dallas of Easterford and David, first Earl of Crawford, but that Dallas still retained the lands of Easterford is clear from documents presently to be adduced.

The following register extract, for instance, shows Dallas still in possession of these lands and furnishes some further particulars as to their tenure :—

‘*Apud Edynburgh*, 8 Jun. [24 Jac. I., 1429].

‘Rex confirmavit illas donationes quas Johannes de Dolas dom. dimedietatis de Elstanfurd fecit Johanni de Tourris de Inverleth, pro ejus benevolentiiis, conciliis, auxiliis, et servitiis dicto J. de D. impensis,—de duabus terris husbandariis quas Ricardus . . . et Donaldus Betoun de dicto Joh. de D. alias ad firmam tenuerunt, et de duabus aliis terris husbandariis quarum una fuit Valteri de Bekyrtoun militis, et alia Agnetis de Tempill, in villa et territorio de Elstanfurd in constabularia de Hadyngtoun, vic. Edynburgh :—Tenend. dicto Joh. de T. heredibus ejus et assignatis in feodo :—Test. Joh. Episc. Glasguensis, Wil. de Foulis, M. Tho. de Myrtoun, Decanus Glasguensis, Johannes Forestarii de Corstorfyne, Walterus

de Ogilby, Thesaurarius.' (*Reg. Mag. Sig. Scot.*, 1424-1513, p. 25.)

It was, no doubt, John of Dallas of Easterford who, on 2nd May 1430, was one of those on the inquest for the retour of Hugh Fraser of Lovat, as heir to his brother Alexander Fraser of Lovat; the names of those on this inquest were: 'Donald de Caldor thanum ejusdem, Joh. de Roiss de Kilrawas, Hug. Roiss, Alex. Stantoun de Lethyn, Joh. de Haia de Lochboy, Angusium Moravie, Tho. Caldor, Wil. Caldor Joh. Dolas, Dav. Piccart, Wil. Sincler, Joh. Graneter, Adam Brethi, And. Ostillar, Moricius Gray, Wil. Tarrail, Angusium Horaldi majorem, Rob. Waus, Pat. Doulsoun, Aug. Horaldi minorem, Alex. Kennathsoun, Valt. Andree et Mich. Donaldi:—Sub sigillis dicti Joh. de Narn (substitutum vicecomitis de Invernys) et prefatorum hominum.' (*Reg. Mag. Sig. Scot.*, 1424-1513, p. 39.)

A year later, on 11th April 1431, an inquest was held at Nairn by Donald, thane of Cawdor, Sheriff of Nairn, for the retour of Hugh Rose as son and heir of John Rose of Kilravock, his father: 'per istos infra scriptos, videlicet, Hugonem Fraser de Lovet, Walterum de Dwglas, Johannem de Narn, Johannem de Hay, Willelmum de Caldor, Andream de Vrwel, Thomam Fauconer, Johannem de Moravia, Alexandrum de Vrchard, Thomam de Caldor, Johannem Fauconer, Johannem de Doles de Cantre, Johannem de Doles de Terneway, Andream Hostaler, Johannem Macalowne, Johannem de Fynrossy, Hugonem filium Ade, Willelmum Mikil, Thomam filium Nicholai, Willelmum filium Gilberti et Donaldum Schewaneson.'

This record has been introduced here because it seems probable that the John of Dallas of Cantray mentioned was, in fact, John of Dallas of Easterford under another designation. The question will, however, be reverted to later.

Some time before the year 1440, John of Dallas appears



to have sold or entirely denuded himself of that half of the lordship of Easterford which in 1429 belonged to him, as the following record shows :—

*'Apud Crechtoun, 12 Jan. [3 Jac. II., 1439-40].*

*'Rex concessit Patricio de Hepburne de Walchtoun militi, et heredibus ejus,—mediam partem terrarum de Athilstanfurde et molendinum spectantibus et parcis super aquam de Tyne, in constab. Hadingtoun, vic. Edinburghe ;—quam Joh. de Dolas resignavit :—Test.,' etc. (Reg. Mag. Sig. Scot., 1424-1513, p. 51.)*

He still, however, continued to be styled 'of Easterford,' probably until his death, certainly until the year 1453-4, when a very interesting letter concerning his claim to the lands of Blackhills, in the lordship of Dallas, appears, and brings to a close what little is known of his probably chequered career. It is addressed by John the Rose, Baron of Kilravock, to an unnamed churchman, and runs as follows :—

*'Reverent Fadyr in Crist I Johne the Roos of Kilravock to your worshipfull faderhed sends honor with reverens. Lyket your faderhed and your estat to wyt that Johne of Doles of Eastafuird, your servant and my cousyng, befor the lords of my countra spirituall and temporall, sayand with apyn langage for the favor of witnessyng of yow and me, quhylk witnessyng I trow we acht to do him be lowe, lawe, and lawte, and for defaut of our testimoniall he tyns a toun callit the Blackhills, in the barrony of Doles, and in the regale of Morow, wedset till him be a mychtie Lord Thomas of Dunbarr, umquhyle, Earle of Moraw, for twentie merks, as his evident berys witnes, and as ye watt lachfullie followyt be brewis of law of our soveran lords the Kings Chapell, befor a hy and mychtie Lord, Alexander Stewart, Earle of Marr and Garvyoch, and that tyme Shirraw of Innernes, apon a mychtie Lord James of Dunbarr, that tyme Earle*

of Moraw, and dynt of dome at Tarnewa be yow, me, and John of Nairn, thereapon given us, as a worschipfull squyre your halie faderhed, that ye be wislie awysit in this mater befor God, and that ye make a testimoniall under your sele, but fraud, falset or guyle, lelie and trewlie. Wrytten at Kilravock, under my sele, the third day of March, the yer of our Lord M.CCCC.LIII yers, befor the wittnesses, William of Calder of that Ilk, Hucheon the Rose, my son and my hayr, William the Rose and Alexander, my sons, venerable chappelanys Sir William Michelson, vicar of Dalcors, Sir David, chapellan to the Thane John of Calder, Alexander of Calder, and John of Angus, with mony others.' (*Kilr.*, 46.)

It would appear that, in spite of this powerful intervention in his behalf, John of Dallas failed to recover either the lands of Blackhills or any other part of the lordship of Dallas, and he probably did not long survive the transaction here recorded.

During the long life of John of Dallas of Easterford numerous members of his family flit across the pages of local history, and call for a more or less detailed record. Perhaps first in importance as in date is a John of Dallas 'More,' who about the close of the fourteenth century obtained from the Bishop of Moray a feu of the lands of Middle Haugh under circumstances set forth in the following mutilated charter :—

' CARTA DE MYDILHALCH

' Omnibus hanc cartam visuris vel audituris Willelmus miseratione divina episcopus Moraviensis eternam in Domino salutem. Noveritis universi quod nos dimidiam dauatam de Mydilhalch jacentem inter terram de Ochterspynty ex parte una et terram de Ferkoklaw ex alia ex parte boreali atque de Lossy post mortem Johannis de Moravia ultimi tenentis ejusdem in manus nostras saysiri et recognosci fecerimus et per aliquod tempus tenuerimus, tandem Megota de Moravia



DALLAS BRIDGE

*J. D. Yeadon, Photographer, Elgin.*



TOR CASTLE

*J. D. Yeadon, Photographer, Elgin.*

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filia dicti Johannis et heres universalis et unica in mera virginitate sua, informata quod dictus pater suus tenementum illud contra bone memorie quondam Alexandrum dei gratia episcopum Moraviensem predecessorem nostrum ultimum in quadam plena curia super hoc tenta ex parte boreali partis Episcopi juxta canoniam amiserat, et super illa amissione judicium in curia ipsa datum esset, dubitans quod ipsum tenementum per viam juris recuperare non posset, amicorum usa consilio, omne jus quod habuit vel habere potuit in ipsa dimidia davata terre vel ad ipsam die Veneris in festo beati Clementis Pape in manibus nostris pure libere et simpliciter per fustem et baculum quem tunc in manibus tenebat pro se et heredibus suis sursum reddidit et resignavit in presentia capituli nostri tunc propter hoc capitulariter congregati subiciens se gratie nostre et capituli antedicti. Nos vero super hoc sepius ante et tunc cum dicto capitulo nostro frequenti deliberatione et maturo consilio prehabitis, ipsam dimidiam davatam de Mydilhalch cum pertinentiis suis, sic nobis sursum redditam et simpliciter resignatam, Johanni de Dolas More et predictae Megote, qui tunc de matrimonio inter se contrahendo coram nobis se adinvicem obligarunt, de consensu et assensu dicti capituli nostri dedimus et concessimus et tenore presentium damus et concedimus eorum alteri diutius superstiti et duobus heredibus ex ipsis legitime descendentibus pro ipsius Johannis et heredum suorum labore et servitio nobis et successoribus nostris et ecclesie impensis et fideliter impendendis, reddendo inde nobis et successoribus nostris episcopis Moraviensibus ipse et heredes sui annuatim quinque solidos usualis monete ad festum Penthecostes et Sancti Martini in hyeme per equales portiones, et faciendo forinsecum servitium domini nostri Regis quantum pertinet ad dictam terram et faciendo modo consueto multuram et molendinum nostrum de Malathy super Lossy et stagnum ipsius pro omni alio servitio exactione et demanda seculari. Quibus duobus. . . ' (*Reg. Epis. Morav.*, 214.)

The date assigned by the editor of the Moray Cartulary to this imperfect document is between the years 1397 and 1406, and it has therefore been not unreasonably conjectured that John of Dallas 'More' was identical with John of Dallas of Easterford. But Carlisle has recorded (*Topogr. Scot.*, s.v. 'Spynie'), that Auchter Spynie or Upper Haugh, Morayston, in the parish of Spynie, which he says was in 1378 called Middle Haugh, was in that year feued by the Bishop of Moray to John Dallas, son of William Dallas of Strathardel. It is difficult to reconcile this statement with the Moray charter above quoted, unless the conjectural date, 1397-1406, is later than should have been assigned to it. Strathardel is in Perthshire, bordering on Stirlingshire, so that we are interested to observe a John of Dallas in the fifteenth century, owner of the lands of Easter Lecky, which he then resigned to their former owner, Murdoch of Lecky. Two charters under the Great Seal relating to the transmissions afford no indication of the personality of John of Dallas or of the manner in which he became possessed of the lands in question.

‘CARTA CONFIRMACIONIS PRO MURDACO DE LEKY DE  
TERRIS DE ESTERLEKY CUM PERTINENCIIS

‘Robertus dux Albanie comes de ffyfe et de Mentethe ac gubernator regni Scocie Omnibus probis hominibus tocius regni predicti Clericis et Laicis salutem. Sciatis nos Inspexisse et veraciter intellexisse quamdam cartam Johannis de Dolas de Esterleky sub sigillo suo confectam dilecto nostro Murdaco de Leky non rasam non abolitam non cancellatam nec in aliqua sui parte viciatam. Sz omni prorsus vicio macula et suspicione carentur, cujus tenor de verbo in verbum sequitur sub hac forma. Omnibus hanc cartam visurus uel auditurus Johannes de Dolas dominus de Esterleky salutem in dormino sempiternam. Sciatis me dedisse concessisse et hac presenti carta mea pro me et heredibus meis

imperpetuum ad feodi firmam dimisisse carissimo amico meo Murdaco de Leky domino ejusdem dictas terras meas de Esterleky cum pertinenciis jacentis infra vicecomitatum de Struelyne, Tenendum et habendum totas et integras predictas terras de Esterleky cum pertinenciis suis quibuscumque predicto Murdaco et heredibus suis de me et heredibus meis in feodi firma imperpetuum in boscis, planis, moris, marresiis, viis, semitis, aquis, stagnis, pratis, pascuis, et pasturis, molendinis multuris et eorum sequelis, cum curiis et curiarum exitibus, aucupacionibus, piscacionibus et venacionibus fabrinis et brasinis et petariis et turbariis ac cum omnibus aliis et singulis libertatibus commoditatibus, aisiamentis et iustis suis pertinenciis quibuscumque ad predictas terras spectantibus seu iuste spectare valentibus quomodolibet in futurum, libere quiete plenarie integre honorifice bene et in pace. Reddendo michi et heredibus meis annuatim apud Esterleky dictus Murdacus et heredes sui de predictis terris cum pertinenciis decem marcas vsualis monete Regni Scocie ad duos anni terminos, videlicet penthecostes et sancti Martini in hieme per equales porciones, tantum pro wardis, maritagii Releuiis secularibus seruiciis, omnibus exaccionibus seu demandis, que de predictis terris cum pertinenciis per me ut heredes meos infuturum exigi poterunt aliququaliter seu requiri. Et ego vero prefatus Johannes de Dolas et heredes mei predictas terras de Esterleky, cum pertinenciis predicto Murdaco et heredibus suis in forma prescripta contra omnes homines et feminas warantizabimus aquietabimus et imperpetuum defendemus. In Cuius Rei testimonium sigillum meum presenti carte mee est appensum apud Leky decimo die mensis Februarii Anno domini millesimo quadringentesimo sexto. Hiis testibus magnifico domino et potenti domino Duncano Comite de Leuenax, Johanne Gourlay burgensis de Striuelyne, Alexandro Post burgensis eiusdam, Patricio Lyndesay, Johanne Naper domino de Kilmehew cum multis aliis. Quamquidem cartam donacionem et concessionem

in eadem contentas in omnibus punctis suis et articulis condicionibus et modis, ac circumstanciis suis quibuscumque forma partiter et effectum in omnibus et per omnia approbamus. Ratificamus et auctoritate officii nostri gubernacionis regni predicti imperpetuum confirmamus. Saluo domino nostro Regi et heredibus suis de predictis terris cum pertinentiis seruicio debito et consueto. In cujus rei testimonium presenti carte nostre confirmacionis Sigillum officii nostri gubernacionis regni predicti apponi precipimus Testibus Reverendo in xpo patre Gilberto Episcopo Aberdonense cancellario Scocie Willelmo domino de Grahame, Johanne Senescallo de Lorn, Willelmo de Conyngham, Georgio de Lesly militibus, magistro Ricardo de Cornell archidiacono Dunkelde, Archibaldo de Conynghame, Daud Berclay et Andrea de Hawyk canonico Dunkelde secretario nostro apud Perth vicesimo quinto die mensis Februarii Anno domini millesimo cccc<sup>mo</sup> Sexto, Et gubernacionis nostre Anno primo.' (*Reg. Gt. Seal Scot.*, Rot. II., Act 30.)

‘Robertus dux Albanie comes de Fyfe et de Menteth ac gubernator regni Scocie Omnibus probis hominibus tocius regni predicti clericis et laicis salutem. Sciatis nos approbasse ratificasse et hac presenti carta nostra confirmasse donacionem et concessionem illas quas dilectus noster Johannes de Dolas de Estirleky fecit et concessit dilecto nostro Murdaco de Leky pro suis benemeritis gratisque beneficiis sibi sepius impensis ac pro quadam summa monete videlicet Centum et viginti marcarum sterlingorum sibi persoluta et per ipsam plenarie recepta de totis et integris terris de Esterleky cum pertinentiis jacentibus infra vicecomitatum de Struelyne. Tenendum et habendum totas predictas terras suas de Esterleky cum pertinentiis prefato Murdaco heredibus suis et suis assignatis de domino nostro Rege et heredibus suis per omnes rectas metas et diuisas suas in feodo et hereditate imperpetuum. Adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut in litteris predicti Johannis



de Dolas predicto Murdaco inde confectis plenius continetur, Saluo domino nostro Regi et heredibus suis de dictis terris cum pertinenciis servicio debito et consueto. In Cujus rei testimonium Sigillum officii nostri gubernacionis regni predicti presenti carte nostre confirmacionis apponi precepimus. Apud Falklande decimo octauo die mensis Octobris Anno domini millesimo cccc<sup>mo</sup> Septimo, Et gubernacionis nostre Anno Secundo.' (*Ibid.*, Rot. XI., Act 31.)

The name of Thomas of Dallas, lord of Tullyglen, recalls the Thomas of Dallas who was forfeited by Edward I., and may perhaps be taken to indicate relationship. Tullyglen is a district on the east bank of the Findhorn to the south of the great 'Park of Tarnaway,' within the bounds of which perhaps were situate the Hills and the Hayning. There is a discrepancy in the date of the Great Seal register and the deed which it recites which is not easy of explanation.

'*Apud Edynburgh, 15 Sep. [25 Jac., 1430].*

'Rex confirmavit quasdam literas impignoracionis Thome de Dolas de Tulyglenys factas Andree Ostler burgensi de Fores—de terris ejus de Inchstacnyk, sub hac forma:—Til al men that thir lettrez herys or seis Thom of Dolas, lord of Tulyglenys, gretyng in God aylestand:—Wyt yhe me in my strenyeand myster til haf put in wede til my lowyt and tender frend Andro Osteler burges of Fores al the landis of Inchstacnyk for a some of silver—that is to say 14 mark of usuale mone of Scotland beforhand till me payit;—TILL HAF and till hald to the sayd Androw, hys ayris and hys assignez, with al esimentis, profitis and rychtwys pertinentis, quhil the sayd Andro of the forsayd some fulllely be content and payit, the fermys and the frottis in the mene tyme tane in the principale some of na maner of waye to be contyt,—and gif it hapnys, the tanehalf of the sayd to be wonnyn fra the sayd Andro be the law, the some that half lyis for to be payit to the sayd Androw, the tothir half to remayne til he

be payit of the forsayd some,—and gif it happynys, as God forbede it do, me my ayris, executuris or assignez or ony othir in our name to mak ony contradiccion or gayncallyng in thir thingis, I oblys me myn ayris, executuris and assignez and al my landis of the Hillis and the Haynyng and al othirs and al my guddis movabill and unmovabil to warand this wedsettyng, and to be distreinyeit at the wil of the sayd Andro hys ayris and hys assignez wythoutyn the ordinance of ony Juge of haly kyrk or secular til the sayd Andro his ayris and his assignez alswele of the costis and skathis that he sustenys as of the principale det he fullely sal be payit :—In the wytnes of the quhilk thyng my sele is put to this present lettrez at Fores the xxiiij day of May the yheir of our lord a thousand four hundreth thuerty and thre yheir :—TEST. Jac. de Levingstoune de Calentare, Scutifer, M. Wil. Turnbule, Custos Privati Sigilli, Tho. de Peblis, Vicarius de Innerlithane, Wil. Comes Orcadie et Dom. de Sancto Claro.’ (*Reg. Mag. Sig. Scot.*, 1424-1513, p. 38.)

In the year 1416 one Robert of Dallas presented to Benedict XIII. a petition for the vacant priory of Urquhart, the abstract of the register running thus :—

‘Robert de Dolas, monk of Dunfermline, of noble birth. For the priory of Urcart, in the diocese of Moray, dependent on Dunfermline, value 20*l.* old sterling, void by the promotion of William de Sancto Andrea to Dunfermline. *Granted. Peniscola*, 6 *Non. March*, *an.* 22.’ (*Pap. Reg.*, i. 605 (fol. 285), lxxxviii. 594.)

Probably Robert had been nominated to the priory by the Abbot of Dunfermline, but notwithstanding that the petition to the Pope for confirmation was granted, it would appear that he never enjoyed this preferment. Benedict XIII. being only Antipope, it might be supposed that his acts would be disavowed by the Church in Scotland, and that for this reason the granting of Robert’s petition was of no avail ; but while the rest of Europe, except, indeed, the little kingdom of Aragon, had definitely repudiated the claims of Benedict (Pedro de Luna) to the papacy, Scotland adhered to his

pontificate until his death in 1424, and thus it was that Robert's petition, instead of going to Rome, was presented at Peniscola in Catalonia. No light, therefore, is thus thrown upon the reasons which led to the failure of the petition. The only further information to be obtained upon the transaction is contained in the following subsequent petition of the year 1418:—

‘Richard de Bothwil, monk of Dunfermlin, student of canon law for three years. To the priory of Wrchart, dependent on Dunfermlin, value 60*l.* old sterling, which, on its voidance by the promotion of William to the abbey, was given first to Robert de Dolas, and then to William de Dalketh, monk of Abirbrothok, between whom a question having arisen, sentence was given that neither had right therein, notwithstanding that Andrew de Rabuzy, monk of Dunfermlin, has unlawfully held it for four months. *Granted. Peniscola, 3 Id. Dec., an. 25.*’ (*Pap. Reg.*, i. 610 (fol. 319*d.*), lxxxviii. 594.)

The accounts of the Great Chamberlain record, in the year 1434, one John Dallas, a ‘servant of the king,’ but his precise status is not disclosed; the entry concerning him runs as follows in the *comptum* of John Swyft and Thomas de Berwik, *custumariorum burgi de Edinburch*:—‘. . . Et Johanni Dolas, servitori regis, per assignacionem ejusdem, ut patet per literas suas de precepto et dicti Johannis de recepto ostensas super computum *iiij li. . .*’ (*Rot. Scac.*, iv. 574-5.) It seems probable that this John Dallas was he who, in 1426 and 1437, is recorded as holding certain lands in Edinburgh (*Reg. St. Giles*, 48, 58), though who he was there is nothing to show.

In a dispute between the Prioress and Nuns of North Berwick and the Burgesses and Community of Berwick regarding their respective territories, the Justiciary, Thomas Symmervell, Lord Carnebeith, caused an assize to be chosen of twenty-five persons to determine the boundaries of the marches. Among the jury chosen, who were all local persons, is found John de Dolas, probably John Dolas of Easterford. The notarial copy of the instrument is dated 14 October 1434. (*Laing Charters*, No. 113, p. 29.)

## HENRY OF DALLAS OF CANTRAY

THE records of the family immediately subsequent to the death of John of Dallas of Easterford, which probably occurred not much later than the year 1453, are exceedingly scanty. It has been seen that in 1431 John of Dallas of Cantray and John of Dallas of Tarnaway were on the inquest for the retour of Hugh Rose of Kilravock, but no further reference to either of them is found, and the identity of John of Dallas of Cantray has not been determined with certainty.

It has been surmised that he was the eldest son and apparent heir of John of Dallas of Easterford, and that he employed the designation of Cantray during his father's lifetime in the same way that the apparent heir of Budgate employed the designation of Galcantray, but such evidence as exists (chronological and genealogical) points to the conclusion that John of Easterford and John of Cantray were one and the same person.

A few years later there appears upon the scene a certain Henry of Dallas, probably the son of this John of Dallas of Cantray. On 5th February 1464-5, an inquest was held at Inverness, under the authority of Celestine 'de Insulis,' Sheriff-depute of Inverness, for the retour of Sir Duncan Grant as heir to his grandfather, Gilbert of Glencharny, in the lands of Kunnyngais, which was constituted of the following jurors: 'Alexandrum de Dunbare de Westfeilde, Willelmum de Caldore, milites, Willelmum de Caldore, iuniorem, Thomam Cummyrn, Alexandrum Cummyrn, Johannem Hay de Mayn, Thanum de Brothy, Hugonem de Douglas, Jacobum de Douglas, Alexandrum Flemyng, Patricium

Fergusii, Donaldum Coysoun, Johannem Scheras, Henricum de Dolas, Willelmum Gaufridi, et Donaldum Johannis.' (*Grant*, iii. 26.) No designation, it will be observed, is given to this Henry of Dallas, but he appears among the well-known neighbours of Cantray, and he was, there can be little doubt, the grandfather of the succeeding Henry Dallas of Cantray, and consequently father of William Dallas of Cantray, who apparently succeeded to the estates about the year 1480.

No further mention has been found of Henry of Dallas, whose name is recorded merely to fill the gap between the death of John of Dallas of Easterford and the accession of the owner of Cantray next to be mentioned.

So seldom does a member of the family appear in the character of a churchman, that mention may here be made of an instrument, dated 26th April 1470, regarding the non-payment of the redemption money of Methill by Sir John of Wemyss of that ilk to the sub-prior of St. Andrews, where 'Jacobus de Doless, presbiter Sanctiandree diocesis, publicus autoritatibus imperiali et regali notarius,' acted as notary (*Wemyss*, ii. 96), and of another instrument regarding a wadset of the same lands, dated 8th June 1470, which was witnessed by the same Jacobus Dolas.' (*Ibid.*, 98.)

Mention may also be made of John Dallas, evidently a prosperous manufacturer and notable citizen of Edinburgh, who as *textor in arras*, *attripotentus*, *textor attripotente* or *attrabatensi*, and finally *textor in arreswerk*, received sundry payments from the King's exchequer, apparently not for goods supplied, but as a recognised annual allowance—in fact, *pro feodo suo*. These payments extend from the year 1468 to the year 1480, and may perhaps have some relation to the money paid in 1434 to John Dallas, the King's servant, already noticed. (*Excheq. Rolls*, vii. 590 ; viii. 192, 254, 315, 391, 465, 548, 630 ; ix. 80.)

## WILLIAM DALLAS OF CANTRAY

WILLIAM DALLAS OF CANTRAY, who was probably the eldest son and heir of Henry of Dallas, was born about the year 1451. (*Invernessiana*, p. 185.) He first appears, after his lands had been for some time in non-entry, as one of the arbitrators on behalf of William, Thane of Cawdor, in a debate concerning the marches of Cawdor and Kilravock, the indenture between the Thane and the Baron of Kilravock being dated 18th September 1480 (*Cawdor*, 437), and the decree arbitral pronounced on 4th November following. (*Ibid.*, 439.) On 29th April 1488 he was one of the witnesses of the charter of resignation of William Calder, eldest son and apparent heir of William, Thane of Cawdor, who 'being lame, and weak of body,' was devoted to the service of the Church, and on 20th August 1490 he was one of the witnesses of the contract of marriage between Hugh Mackintosh 'Allanson' and Marion Calder, daughter of the Thane of Cawdor, for which a papal dispensation was required. (*Cawdor*, 73.)

On 10th May 1492 the contract for the marriage of John Calder, son and apparent heir of William, Thane of Cawdor, and Isabel, eldest daughter of Hugh Rose, son and apparent heir of the Baron of Kilravock, was ratified, William Dallas of Cantray and William Dallas of Budgate being two of the sureties for the payment of a part of the lady's very considerable tocher. (*Cawdor*, 76.)

On 13th August 1492 he was one of many 'arbitoris and amiabile compositoris' evenly chosen between Andrew, Bishop of Moray, and Hugh Rose of Kilravock, for the settlement of the marches between Kilravock, Kildrummy, and

the church lands of Croy, and on 6th January 1493 he and William Dallas of Budgate witnessed the charter of foundation of a perpetual chaplainry within the chapelry of Geddes by Hugh Rose of Kilravock. (*Kilr.*, 140.)

About this time the Thane of Cawdor and the Dallases of Cantray and Budgate fell into serious trouble, doubtless owing to some hership or depredation of which no record now remains. Whatever their crime, it was sufficiently heinous to lead to their trial at Aberdeen before King James IV. in person, when they were all sentenced to death. They were good and loyal subjects of their sovereign, however lawless in their dealings with their neighbours, and accordingly the following free pardon was granted to them:—

‘LITERA PRO WILLELMO THANO DE CALDOR

‘James be the grace of God king of Scottis, to all and sundri owre justicis shireffis justice clerkis crownaris and thare deputis and all utheris oure officiaris liegis and subditis quham it efferis quhais knaulage thir oure lettres salcum greting. Wit yhe that forsamekle as in oure court of justiciary haldin be ws in propir persoun at Aberdene the xxvj day of Aprile the yere of God i<sup>m</sup> iiiij<sup>c</sup> lxxxxiiij yeris, Wilyame Thane of Caldor, Johnne of Caldor his soun and apperand air Williame Dolace of Cantray and Williame Dolace of Budwite were accusit and convict of certane criminale actionis commitit be thame and dome gevin apoun thame til hau bene hedit therefore, neuertheles we therfore mouit of piete considerand and understandand thai wer evir our trew liegis and obedient til our lawis and nevir fundin gyldi of before grantit to thame thare lifis heretagus and gudis to leif and remane in tyme to cum oure trew liegis like as thai did of before the gevin of the said dome apoun thame, and tharefor of our speciale grace fauouris and auctorite riall has remittit and be ther oure lettres remittis to thame and ilkane of thame all actionis criminale and ciuile commitit and done be thame, or ony of

thame in tyme bigane before the gevin of the said dome apoun thame, and cassis and annullis the said dome and all sentence and process that mycht have folowit therapoun. . . . Gevin under oure priue sele at Inuernes the xxv day of October the yere of God im iiij<sup>e</sup> lxxxxiiij yeris and of our regnne the sevynt yere.—JAMES R.' (*Cawdor*, 81.)

On 7th February 1497-8 there is a complaint to the Lords of Council, by Wilyeame Dolace of Cantray, that Donald Glass came under the silence of night to the Ile of Rathamarcus when he was coming from the Lord's assize at Norhame (July and August 1497) and took away his clothes, silver graith, etc., and dragged him barefooted to Lochquhabir. He thereafter sent him to Angus MacKane at Dourroure in the Isles and held him for fifteen weeks. Glass was find £20. (*Acts of Lords of Council in Civil Causes in Scotland*, 1497-1501, p. 103.)

On 11th February 1499, William Dallas of Cantray was one of the witnesses to an instrument concerning the wardship of the infant Muriel Calder, heiress of the old Thane William of Cawdor, her grandfather (*Cawdor*, 104), and under the signet of King James IV. at Inverness, 26th October 1499, he, together with Alexander, Lord Gordon, Thomas Fraser, Master of Lovat, and many others, was one of the sheriffs in that part specially constitute for the purpose of obtaining redress for the injury done by certain Monroes and others to the Baron of Kilravock during his temporary possession of the Red Castle and Ardmanach in the Black Isle in Ross-shire. (*Kilr.*, 168.) On 21st January 1501, William Dallas of Cantray and William Dallas of Budgate were witnesses to an instrument taken by William, Thane of Cawdor, before John Rose, Sheriff-depute of Nairn (*Cawdor*, 113), and this is almost his last appearance.

It is now necessary to consider certain documents printed by the late Mr. Fraser-Mackintosh in his *Invernessiana*, one of which has been accidentally misdated. There had, it appears, been debates between the royal burgh of Inverness



and the two northern burghs of Dingwall and Tain, into the particulars of which it is unnecessary to enter. The northern burghs, however, had evidently taken their case before the Lords of Council, and in consequence the King in Council on the 3rd April 1501, issued letters addressed to the Sheriff of Inverness by which that functionary was directed to summon certain witnesses competent to give evidence on the question in dispute—the relative rights of the two smaller burghs and the principal burgh of the shire. Unfortunately, Mr. Fraser-Mackintosh, in his account, omits the names of those to be summoned, with the exception of Sir James Dunbar of Cumnock, William, Thane of Cawdor, Alexander Urquhart, and Andrew Davidson of Davidston.

On the receipt of these letters John Cuthbert of the Auld Castle Hill proceeded, as one of the sheriffs-depute, to issue his own letters in the matter. On the 13th May 1501, he says, 'I summoned, warned and charged Andrew Davidson of Davidston, John Clunes, Thomas Reid, in Cromarty, — Hossoler in Rosemarkie, Donald Noble in Allan, James Clark in Kilearnan, Thomas Duff and William Clark in Kilmuir, Donald Young in Drynie personally apprehended, and Alexander Urquhart, Sheriff of Cromarty, at his dwelling-place, that they compear in the Tolbooth of Inverness, upon Friday, the 28th day of this instant May, before the Sheriff or his deputes, to swear and depone what privileges they have heard or seen, the burgh and burgesses of Inverness brook and enjoy provable, and rightly say what rights and privileges that they have seen and heard the inhabitants of the towns of Dingwall and Tain brook and enjoy : And the 24th day of the said month I summoned Sir James Dunbar of Cumnock, knight, William, Thane of Cawdor, William Dallas of Cantray, personally apprehended, and Huchon the Rose of Kilravock, William Dallas of Budgate, at their dwelling place, to compear the said day and place before the Sheriff of Inverness, or his Deputes, to swear and depone as said is.' (*Invernessiana*, 178.)

The inquiry which followed was held by John Ogilvy, Sheriff-depute, not on the 28th May, according to Mr. Fraser-Mackintosh, in 'the year of God, 1508,' but on the date mentioned in John Cuthbert's summonses, 28th May 1501. For not only are the witnesses who appeared, but also those who did not appear, precisely those mentioned in Cuthbert's writ. William, Thane of Cawdor, who gave evidence at the inquiry, was dead in or about the year 1503 (*Cawdor*, 117), and so could not possibly have appeared in 1508. Amongst the witnesses examined before the Court were the two Dallases of Cantray and Budgate. William Dallas of Cantray, who deponed that he saw ever the burgh of Inverness brook and enjoy all the freedom from Duncansbay to the West Sea, stated his age to be fifty years; and William Dallas of Budgate, who 'deponed that the burgh of Inverness was ever the principal burgh of the whole shire, and that he heard never that Dingwall or Tain occupied any freedom but at their licence,' claimed to be eighty years of age. (*Invernessiana*, 184-5.) Our chief interest in this document is in the record of the ages of the two Dallases, which renders it easier to unravel the subsequent genealogy.

No later reference to William Dallas of Cantray has been met with until after his death, which occurred before 26th October 1505. He married a sister of Walter Rose in Holme (*Kilr.*, 65), who is said by the historian of the Roses to have been of the family of the Provosts of Nairn. He was evidently very nearly related to the Baron of Kilravock, as evidenced by the letter of assythment on the murder of Archibald of Dallas presently to be noticed. In 1508 Walter Rose acquired by purchase from Sir William Ogilvy of Stratherne the lands of Kinstary (*Reg. Mag. Sig.*, 1424-1513, No. 3621), and was subsequently known by that designation.

Of this marriage of William Dallas there were at least three sons, Henry, John, and Archibald, the first of whom was his father's successor.

## HENRY DALLAS OF CANTRAY

HENRY DALLAS was under age when, in 1505, he succeeded his father in the lands of Cantray and Lairgs, for on 26th October of that year was issued at Aberdeen, under the King's hand, 'A Lettre of Gift maid to M. John Caldour, chantour of Ross, and his assignais, ane or maa, of the gift of the mariagis of Henry Doles, son and aire to umquhile William Doles of Cantray, and failzeand of hym, of the airis male succedand to his heretage ; and of the gift of the ward of the samyn perrenand to our soverane lord because the said umquhile William held of his hienes the landis of Largis, liand within the shirefdom of Invernes.' (*Reg. Privy Seal*, i. p. 166.) And when James, Bishop of Dunfermline, rendered his Treasury Accounts for the years 1504-6, he records the payment into the Exchequer of a sum of forty pounds received by him from M. John Calder for the marriage of Henry Dallas of Cantray. In 1506 the young heir must have attained his majority, as he then had sasine as Crown tenant of Lairgs. (*Excheq. Rolls, Scotland*, xii. 717.)

About the same time, viz. on the 16th August 1506, an assize was held in Nairn for the retour of William Calder, vicar of Ewayne (Barevan), the disinherited eldest son of William, Thane of Cawdor, as heir of certain lands and annual rents in Nairn, when it was found that 'the said Wilyame thayne of Cauldour deit wessyt and seissit of the crofftis besyd Balmakeitht beyon the Water of Naryne . . . alsuay of vj rudis lyand within the galois . . . and als of xxxd. of annuell of Cristane Flemyngis land . . . and of Henry Dolles land of Cantray ijs. of annuel.' (*Cawdor*, 118.) This ap-

parently relates only to lands in Nairnshire, and not to those in Inverness-shire.

The first appearance of Henry Dallas in the affairs of his neighbours is on 10th April 1512, when William Dallas of Budgate and he serve on a jury at Inverness for the retour of William M'Culloch of Plaidis. (*Invern. Sh. Court Rec.*, vol. i. in Register House, Edinburgh.)

A tragedy has now to be recorded of which nothing is known but the fact. The relationship of the murdered man to the laird of Clava does not even transpire, for the fact that Henry Dallas's wife was, if certain Mackintosh pedigrees are to be relied upon, a granddaughter of Alexander 'Keir' Mackintosh of Rothiemurchus by a daughter of the then Stewart, lord of Kincardine, would in no way account for the cousinship mentioned in the following 'letter of assythment,' in which, it will be noted, William Dallas of Budgate and his kin had no part or interest.

'Be jt kend to all men be thir presentis lettres, we Henry Doles of Cantray, Johnn of Doles, brethir germane to vmquhile Archibald Doles, quhome God assolye, Valter Ross of Kinstary, moder brother to the said vmquhile Archibalde, Huchone Ross of Killrauok, and vtheris the kyn and freindis of the said vmquhil Archibald, for conding and thankful recompens, plesour, and satisfactioun of party made to ws, and suffragis done for the saule of the said vmquhile Archibalde, be our louit cousing Robert Stewart of Clauok, to haue grantit and be the tenour of thir presentis lettres for ws, our airis, kyne, freindis and successouris, grantis and haldis weill and sufficiently contentit and plesit, and fullely assithit, as efferis, be the said Robert, for the slauchter done and committit be him on the said vmquhil Archibald ; remittand and forgiffand him, his airis, kyn and freindis, or ony that mycht be accusit therof in tymeze cuming, nowe and for euire, be this present writ ; to the quhilk, in witnessing of the premiss, we the saidis

Henry, Walter, and Huchone, for our selfis, and of the supplicatioun of the said Johnn Doles, hafand na seil of his awyn propir, and of the request of the remanent of the kyne and freindis of the said vmquhile Archibalde, beand present, consentand herto, and with the instance, becaus thai hed na selis propir of thar awyn, thai procurit our selis to be appendit to the presentis, quhilkis for ws and thaim we haue appendit at Dawe the last day of May, the yeir of God ane thousande five hundreht and thretteine yeris, before thir witnes Alexander Ogilvy of Deskfurde, Gilbert Ogilvy, James Ogilvy, and George Craufurde, with utheris divers.' (*Kilr.*, 183.)

Three seals are attached to this interesting document, viz.: 1. A fesse between three stars, with the legend—*S'Henrici Dolas*; 2. A boar's head couped between three water bougets, with the legend—*S'Hugonis Ros baronis*; 3. A fesse between three water bougets, with the legend—*S'Valteri Ros*. This is the first recorded instance of the arms of Dallas of Cantray.

On the 21st July 1513, William Dallas of Budgate, Henry Dallas of Cantray, and Robert Stewart of Clava, with many others, served on an inquest for the retour of 'Sir' Thomas Paterson, rector of Assynt, as heir to his uncle, Sir William Paterson, rector of Boleskine, in the lands of Durriss, Culcabock, and Knockyntennell, in the shire of Inverness. (*Invern. Sh. Court Rec.*, vol. i., and *Invernessiana* (transl.), 191.) On 17th September 1514 the two Dallases again appear on an inquest at Inverness when Elizabeth Sutherland was served heir to her brother John, ninth Earl of Sutherland, to whom she succeeded in the earldom. (*Invernessiana*, 194.)

The latest appearance of Henry Dallas is in connection with what is known as the second hership of Petty. This sanguinary raid, in which twenty-four of the Ogilvys were slain, occurred some time in the year 1513, not earlier than the 31st May, when letters of assythment passed between Dallas and Stewart of Clava, in all probability during the troublous

times immediately following the fatal field of Flodden. It was an exploit of certain Mackintoshes and their friends during the chieftainship of Farquhar Mackintosh, but whether at his instigation or with his approval there is little to show, save that his successor Lachlan Mackintosh was subsequently held responsible. The motive of the crime is also unknown, for the reasons assigned by various writers are either negated by chronology or are wholly inadequate.

A remarkable catalogue of the booty carried off by the raiders is, however, extant at Kilravock, being contained in a 'Decreet of Spuilzie' addressed to the Sheriffs of Inverness, Elgin, and Forres, and dated 23rd March 1515-16. This decret sets forth that 'Lauchlane Macintosh of Dunnachtane, Doule More M'Gillecallum, Ferquhard, his sone, Robert Stewart of Clavalge, Huchoun Ross of Kilrawok, Henry Dolace of Contray, Walter Ross of Kinstary, and Donald Glasche Macintoshe hes done wrang, in the masterfull destruc-tioun and doun casting, counsale, help, and assistance gevin thairto, of the Houss of Petty, callit Halhill, within our shirrefdom of Inuernes, pertening to umquhile Williame Ogiluy of Stratherne, knycht, and now to Johnne Ogiluy, his sone and are, and als hes done wrang in the masterfule spolia-tioun and away taking fra the said vmquhile Williame, and withhalding fra him, his said sone and are, his men, tenentis, and seruandis, of thir gudis vnder writtin, spulzeit and takin be the saidis personis furth of the said vmquhile Williamis houss and place of Halhill, and landis pertening thairto. And thairfor it is ordanit be the saidis lordis that the saidis personis restore and deliuer the samin gudis agane to the said Johnne Ogiluy, as are forsaid, and to ane venerabill Fader in God, Maister James Ogiluy, commendatar of our abbay of Driburgh, his tutour, of the prices, as eftir followis: That is to say,' etc. (*Spalding Club Miscell.*, ii. 77-80). The decret further directs the offenders to pay a sum of five hundred pounds to Ogilvy for the 'damage and skayth' done to the

dwelling-place of Hallhill, and instructs the sheriffs to distrain upon their movable goods, and if necessary to apprise their lands, with what result there is nothing to show.

Hugh Rose of Kilravock was probably led to take part in the affair by the fact that his mother was a daughter of Malcolm 'Beg' Mackintosh, captain of Clan Chattan, and Henry Dallas in consequence of his marriage with a Mackintosh of Rothiemurchus, while Walter Rose of Kinstary was uncle and Robert Stewart of Clava a cousin of the latter.

Henry Dallas married a daughter of John Keir Mackintosh of Rothiemurchus by a daughter of Alan, third son of Malcolm Beg Mackintosh, chief of Clan Chattan. He died in the year 1518, leaving a son and heir, Alexander, a minor : no record has been found of other children.

## ALEXANDER DALLAS OF CANTRAY

ALEXANDER DALLAS OF CANTRAY was born about the year 1500, and was consequently between seventeen and eighteen years of age at his father's death. He was of full age when, on 14th August 1521, he, together with James Innes and Alexander Keir, acted as bailie of James, Bishop of Moray, for giving sasine to Allan Keir Mackintosh, son and heir of the late John Keir Mackintosh of Rothiemurchus, of the lands of Rothiemurchus. (*Grant*, iii. 65-6.)

The following abstract from the Exchequer Accounts for the year 1521-2 shows that the lands of Lairgs had been for some three and a half years in non-entry during the minority of the heir :—

‘Vicecomes de Invernyes respondebit pro xxxiiijli. viiiijđ. de firmis terrarum de duabus Largis cum molendino et pertinentiis eorundem jacentium in comitatu Moravie et infra baliam suam, existentium in manibus regis per spatium trium annorum et unius termini ultimo elapsorum sasina non recuperata, et pro vijli. xiijs. iiiijđ. de eisdem. Apud Edinburgh, vicesimo quarto Januarii anno regni regis nono’ (*Exch. Rolls, Scot.*, xv. 595); while by chance one of the Lairgs writs is still preserved amongst the Cantray charters, and though it is somewhat injured, and the date in part obliterated, there is no difficulty in ascertaining its purport. It is an instrument of sasine, dated 8th May 15[21-2], in favour of Alexander Doles, son and heir of the deceased Henry Doles of Cantra, in the land d[e duabus Largis ?] proceeding upon a precept from Chancery in which it is stated that the lands have been in non-entry since the death of the said Henry Doles, or for



three years and one term. The precept is dated at Edinburgh, 25th January in the ninth year of the king's reign [James v.]. The witnesses to the sasine are William Doles of Bodwit, Alexander Doles his son, and William Ros of Holme. (*Cantray Charters.*)

From this time for nearly twenty years only casual references occur respecting Alexander Dallas. On 30th April 1527 he and others witnessed a bond of mutual friendship and support between Sir John Campbell of Cawdor, Hector Mackintosh, captain of Clan Chattan, Hector Munro of Foulis, Donald Ilis of Slate, and Hugh Rose of Kilravock (*Cawdor*, 149); and on 27th April 1532 he, together with William Dallas of Budgate and Walter and John Montgomery, witnessed a protest by Sir John Campbell against the prejudice of his right to the lands of Little Urchany and the crofts called the sheriff's crofts, with the office of Sheriff of Nairn, by the service of the daughters of Hugh Calder, 'the old Sheriff,' as heirs of their father (*Cawdor*, 153). On 6th November 1532 he witnessed at Easter Urquhard a grant by Robert Stewart of Clava to John Grant in Ballindallach of the town of Easter Urquhard and the lands of Cantradoun in the shire of Nairn, which was confirmed under the Great Seal, 2nd January 1537 (*Reg. Mag. Sig.*, 1513-46, 387), and on 14th April 1534 he and William Dollace of Budgate were members of a jury for the retour of George Munro of Doucharte (*Invern. Sh. Ct. Rec.*, i.). On 3rd October 1536 he served on a jury for the retour of James Grant of Frewquhy (*Grant*, iii. 80), and on 4th May 1537 he, together with Alexander Strathachin of Culloden, Robert Stewart of Clava, and others, were on an inquest held at Inverness for the retour of Donald Cameron as heir to his father Eugene (Angus) Alanson, captain of Clan Cameron, in the lands of Knockdort and Glenneves, which were thereupon confirmed to him under the Great Seal on 8th November 1537 (*Reg. Mag. Sig.*, 1513-46, 382). On the 22nd May 1539 a letter is addressed by 'James erle of Murray lord of Abernethy

to our lowittis Alexander Doles of Cantray [and] Duncano M'behan in Dunmakglass our bayleis specialie constitut,' stating that he had made Sir John Campbell of Caldour 'our bayle of all and sindry our landis of Stratherne,' who thus superseded Dallas and his coadjutor in that office. (*Cawdor*, 163.)

There occurs about this time a series of transactions respecting the barony of Rothiemurchus, the exact significance of which is hardly disclosed by the documents available. These lands had for several generations been held of the bishopric of Moray by a branch of the family of Mackintosh, and had descended to Alan Keir Mackintosh, who had sasine in 1521, as has been stated above. This Alan, however, fell into pecuniary difficulties, and his lands appear to have passed into the hands of his nephew, Alexander Dallas of Cantray, as his principal creditor (*Grant*, i. 118); the exact nature of Dallas's claim has not, however, come to light. That he at least deemed himself fully vested in these lands is evidenced by a contract between him and George Gordon, Constable of Badenoch, son of George, Earl of Huntly, which, though already printed by Sir William Fraser, is too important not to be reproduced:—

'In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum, quod anno incarnationis dominice millesimo quingentesimo quadragesimo secundo, die vero mensis Maij prima, indicione decimaquinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli diuina prouidentia pape tercii anno octauo; in mei notarii publici testiumque infrascriptorum presencia, comparuit honorabilis vir, Alexander Doles de Cantra, venerabilemque virum dominum Jacobum Duf, vicarium de Durris, debita cum instancia requisivit quatenus quemdam contrahactum initum inter dictum Alexandrum et honestum virum magistrum Georgium Gordone, constabularium de Baidzenach, pro alienacione omnium et singularum terrarum de Rathamurkus a dicto magistro Georgio prefato Alexandro

facta, pro sua defensione, inquantum lis orta inter eosdem pro dictis terris tempore confeccionis presencium fuit, sibi daret : Quemquidem contractum magister Georgius et Alexander, vnanimo consensu, prefato domino Jacobo in custodia, vt moris est, deliberabant, ac eundem contractum ipso domino Jacobo in cubiculo suo proprio apud burgum de Inuernis existenti, per nominatum magistrum Georgium violenter et minus iuste de manibus suis euulsum et raptum asseruit : Super quibus omnibus et singulis antedictis, idem Alexander Doles, a me notario publico subscripto vnum vel plura, publicum seu publica, instrumentum aut instrumenta sibi fieri peciit. Acta erant hec in plateis predicti burgi, coram edibus venerabilis viri, domini Magni Waus, prepositi de Thayne, hora vndecima ante meridiem, aut eocirca, sub anno, die, mense, indiccione et pontificatu quibus supra ; presentibus ibidem honestis discretisque viris Fynlao Wyllzemsone, Vilelmo Clark, Johanne Budet, Waltero Couper, burgensibus dicti burgi, Beano M'Conquhy et Johanne M'Gilleis, cum diuersis aliis ad premissa vocatis pariterque rogatis.

‘Et ego vero Jacobus Farquhardi, arcium magister, presbyter Aberdonensis diocesis, sacra apostolica autoritate notarius, quia premissis’ (*etc., in forma communi*). (*Grant*, iii. 87.)

George Gordon, however, did not long retain possession of the lands and barony of Rothiemurchus, though there is nothing in the following contract to indicate his reasons for divesting himself of so valuable a possession. It gives, however, some interesting information as to the extent and value of some of Dallas's property, and the fact that Alexander Lesly, younger of Wardes, is one of his cautioners, suggests a connection between that family and Isobel Lesly, the wife of Alexander Dallas :—

‘Contract between George Gordoun of Rothemurcus, with consent of his father, George, Earl of Huntlie, as his tutor and governor, on the one side, and Alexander Dolles of Canttraye, who alleges that he has the consent of James Keir,

eldest son and heir of the late Allan Keir, sometime of Rothemurcus, with advice of the well-advised friends of James Keir, on the other side, as follows :—George Gordoun obliges himself to sell and dispoine by resignation, or by charter and precept of sasine, to Alexander Dolles and his heirs heritably, all and whole the lands and barony of Rothemurcus, with tenants, tenendries, service of free tenants, fortalice, locks, woods and fishings thereof, to be holden of Patrick Bishop of Moraye, and his successors, in feu-farm, for payment of such feu maills and duties, as the feu-charter of George Gordoun specifies ; and to make Alexander Dolles, and his heirs, assignees in and to an assedation of the teind sheaves of the kirk of Rothemurcus, which he has of the bishop for nineteen years ; and to deliver all the evidents which he has of the lands of Rothemurcus, as well as the assedation already mentioned, with an assignation thereof : Alexander Dolles, on behalf of himself and his heirs, discharging and renouncing all warrandice that he has or may have through this alienation against George and his heirs, except that the Earl of Huntly shall be obliged for himself and his heirs to warrand the lands and barony referred to at the hands of George his son, and his heirs, to Alexander and his heirs whatsoever, for which Alexander shall content and pay to George, and to the Earl his father, as tutor and governor in his name, the sum of eighteen hundred merks at the making of this contract, three hundred merks within eight days thereafter, and four hundred merks at Whitsunday following : and for security thereof, Alexander shall cause that Hucheon Ros of Kilrayok, John Grant of Ballindallocht, Arthur Stewart of Kilmacloyne, and Alexander Lesle, young Laird of Wardores be acted along with himself in the official's books of Moray, each for one hundred merks at the Martinmas term ensuing, and shall infest George Earl of Huntlie, heritably, by charter and sasine, in all and whole the lands of Lairgis, in the sheriffdom of Inverness, with the pertinents of the same, to be holden

of the King of Scotland for the time, and his successors, as Alexander himself holds them, the Earl giving to him a reversion and letter of regress containing the sum of four hundred merks, and also a letter of tack of the said lands of Lairgis after the outquitting of them, for the space of five years, paying therefor twenty merks yearly, in case Alexander shall not have paid the sum of eight hundred merks at the term of Martinmas. Also he shall infest the Earl in all and whole the six merk lands of Cantrafresser, to be held of Alexander and his heirs blanche, for payment of one penny yearly, in security of payment of two hundred merks of the whole sum, the Earl to give him a reversion containing the sum, with a letter of tack after the outquitting for five years, for payment of six merks maill, in case Alexander fail to pay the complete sum of eight hundred merks by the time above stated. The lands of Lairgis and Cantrayfresser not to be redeemed by Alexander unless at one time, and both together ; and for observing all of the premisses contained in this contract each party is bound and obliged, one to the other, by the faith and truth in their bodies ; and for greater security they are content that the contract be registered in the official's books of Moray, and they be bound to the same under pain of cursing.' The contract is subscribed by George Erle of Huntle, George Gordoun and Alexander Dolles, and dated at Elgin, 29th December 1542, in presence of Robert bishop of Orknai, Alexander prior of Pluscardin, Robert Innes of Innermerkye, Robert Dunbar of Durres, Alexander Bailze, constable of Invernes, James Innes of Rothmakenze, and Schir Thomas Hay, vicar of Duffus, as witnesses. A note is appended, of the same date as the contract, and signed by Thomas Hay, notar, calling upon the parties above enumerated to implement their securities. (*Grant*, iii. 369.)

Having thus apparently recovered possession of the lands and barony of Rothiemurchus, Alexander Dallas, two years later, entered into negotiations for their exchange with James

Graunt of Fruquhye, the results of which are embodied in the following deed :—

At Elgin, the twenty thrid day of Apryll, the zeir of God ane thousand fife hundreth fourty and fife zeiris, it is ap-punctuat, concordit, and finale aggreit abetuxe ane honorabill man, James Graunt of Fruquhye, on that tain part, and Alexander Dolas of Cantray on that todyr part, in manyr, forme, and effect as eftyr followis : That is to say, the said James Graunt bindis and obleissis hym self, his airis, ex-ecoutouris and assingnais, that, God willing, he sall infett heritabilly the said Alexander Dolas, his airis, execoutouris and assingnais, be chartyr and precept of sesing, in all and haill the landis of the half of Estyr Wrquhart, Cantray, Done and Dalgramycht, lyand within the schirefdome of Narne and barony of Cloway, with all and sindry thair pertinentis, and that odyr be assingnacione and confirmacione, to be haldyne of our souerain lady the Quenis Grace and hir suc-cessouris, or be plain alienacione, as likkas best atheris the saidis parteis ; and this to be doin betuxe the dait heyrof and the fest of Sanct Martyne nixt to cum immediate and sub-sequent : And als the said James bindis and obleissis hym self, his airis, execoutouris and assingnais, he sall infett heretabilly the said Alexander Dolas, his airis, execoutouris and assingnais, in all and haill the landis of Cloway, lyand within the forsaid barony and schyir, with all and syndry thair pertinentis, mill multuris, and all maner of dewitteis pertenying the samyn, within the space of sewin zeiris nixt following the dait heyrof ; or ellis the saidis James his airis, execoutouris or assingnais sall content, refund, and pay to the said Alexander, his airis, execoutouris or assingnais, the sowme of ane thousand merkis usuale mone of Scotland, in the space of the forsaid sewin zeiris : And in likwyis that the said James, his airis, execoutouris or assingnais, sall pay to the said Alexander, his airis, execoutouris or assingnais, the sowme of xx merkis zeirly wsuale mone of [the] realme, at twa

consueit termis of the zeir, viz. Witsunday and Martymes, ay and quhill he, his airis, execoutouris or assingnais, infest heritabilly, as said is, the forsaid Alexander Dolas, his airis, execoutouris or assingnais, in all and haill the landis of Cloway, with the mill of the samyn, and that to be pait of the landis of Clowre and West Cur : And mayratour, the said James, his airis, execoutouris or assingnais, sall content and pay to the said Alexander Dolas, his airis, execoutouris or assingnais, the sowme of iiij hundreth merkis usuale mone, betuxe the dait heyrof and the vij day of Maii nixt following ; and two hundreth merkis at the fest of Witsunday nixt therefty following : For the quhilkis the said Alexander Dolas bindis and obleissis hyme, his airis, execoutouris, and assingnais that he heretabilly infest the said James, his airis, execoutouris of assingnais, in all and haill the landis and barony of Rathamurkus, with tenentis and tenendry, tyndis, multuris, profitteis and all oderis commoditeis that pertenis or may pertain thairto, lyand within the schirefdome of Inuernes and regalite or Spyne, within viij dais that the said James Graunt, his airis, execoutouris or assingnais infestis the said Alexander Dolas, his airis, execoutouris or assingnais in the forsaid landis of Estyr Wrquhart, Cantray, Doune and Dalgrawmycht, as is abune exprimit : And gif saye beis that this present conthrak be nocht maid in dew forme, it salbe lesum the said conthrak to be extendit in the maist vberior form practitak or speculatiue, with all clauses necessaris as men of law can dewis : And gif saye beis, as God forbeit, that ony of the parteis forsaidis resultis or gainstandis in ony punctis prenominat, the pairty brakand sall pay the sowme of tuelf hundreth merkis ; the quhilk tuelfth c. merkis salbe distribuit, viz., to the Quenis Grace iiij hundreth merkis, fouyr hundreth merkis to the reparacione of the cathedrall kyrk of Murray, and four hundreth merks to the pairty that the falt is maid to : And quhane and quhow schwin the said James, his airis, execoutouris, or assingnais, infestis the said Alexander Dolas,

his airis, execoutouris or assingnais, in the landis of Estyr Urquhart, Cantray, Doune, and Dalgrawmycht, than and in that cais the said Alexander Dolas, his airis, execoutouris or assingnais, sall deliuer the said James, his airis, execoutouris or assingnais, all charteris, documentis, instrumentis and reuersionis of all landis that ar wedset at the making of thir presentis; and forder, that the said Alexander, his airis, execoutouris or assingnais, sall nocht wedset, alienat, nor away put nay landis of the forsaid barony of Rathamurkus odyr nay thair is wedset at the makking of thir presentis: And for observing and keping of all and syndry premissis, atheris the saidis parteis ar content that this present conthrak be registrat in the officialis buikkis of Murray, to be kept and obseruit ondyr the pain of infamite, inhabilite, cursing and mensuering, and as God forbid: And rycht saye hes subscriuit this present conthrak, at Elgin, day, zeir, and place forsaid befor this witnes, ane venerabill man Maister Alexandyr Suthirland, deane of Catnes and officiale of Murray, Johne Grant of Culcabok, Thomas Narne of Cromdall, Schir John Scherar, vicar of Ardclauch, Schir John Maitland chaipland, and Maister James Farquharson, and Schir Johne Gibsone, notaris publice, with oderis diuerse.

‘JAMES GRANT of Fruquhy, with my hand.

‘ALEX<sup>R</sup>. DOLES of Cantray, wyth my hand on the pen, led be Schir John Scherer, vicare of Ardclach.’ (*Grant*, iii. 94.)

It does not appear that this contract was ever fully carried out, and, as will be seen later, Alexander Dallas continued to regard himself as the legal owner of Rothiemurchus, though Grant by some means seems to have obtained actual possession. It is by no means clear that Dallas did not retain some effective hold over the barony during his lifetime, and it may be that, but for the long minority which followed closely upon his death,



the Dallases would have succeeded in retaining possession of these lands, the more so as it is certain that Grant failed to fulfil his part of the contract as regards the lands of Cantray-doun, Dalgramich, Easter Urquhart, and Clova.

On the 5th May following, Alexander Dallas was at Elgin, where, in the cathedral church, he was one of many witnesses to a charter by William Liell, perpetual curate of Duffus, with the consent of the chapter, of the Kirklands of Duffus, together with two acres called *lie brewin acris*, and four acres belonging to the vicar, to John Sutherland *alias* Bayn and the heirs-male of his body, whom failing, to Alexander Sutherland, lord of Duffus, or to Richard Sutherland, lord of Forss, and their heirs-male respectively, whom also failing, to the heirs-male of the said John Sutherland whatsoever bearing the surname and arms of Sutherland (*Reg. Morav.*, 402); and four days earlier the following letter was addressed to Patrick Hepburn, Bishop of Moray, prompted, doubtless, so far as Dallas was concerned, by the anticipated grant of the episcopal lands of Croy shortly to be noticed. It would, however, appear that the laird of Cantray had already some interest in these lands:—

‘Be it kend till all men be thir letteris, We Huchon Ros of Kilrauok, Johnne Ros of Ballewaitt, Alexander Ros of Holme, and Alexander Dolles of Cantray, that forsamekle as ane reuerend fader in God, Patrik bischop of Murrey and commendatoure of the abbay of Scone, hes been gude and thankfull to ws, in all materis concernyng us, our kyn, freyndis allyas and part takaris, and thame of our surname, and in speciall, in setting to ws and oure aris in few and heretage, the landis of Kildrymme, with fisching vpon the watter of Narne; Kilmony and Daltuly, with fischingis vpon the watter of Fyndorne, with all and sundry pertinentis thereof; the landis of Ballewaitt, Auchingoure, with fischingis of the samyn vpon the watter of Fyndorne; Arclauch, with fisching of the samyn vpon the said watter, togidder with croft of the

samyn, the croft of the Heremyte, the myln of Arelauch, with the half of the landis of Flenes moir ; the landis of Croye, with the ailhous and croft of the samyn ; the lands of Ewan, with the pendikillis and pertinentis thereof, with ailhous and croft of the samyn, togidder with the halff landis of Flenes moir, with all and sundrye pertinentis thairof ; and hes rebaltit large of his proffitt that the few of the saidis landis ar wourth : Heirfor and vtheris rasonable caussis moving ws, to be bundin and oblesitt, and be the tenour heirof, byndis and oblessis ws and ilkane of ws, and oure airis, in the stratest forme of obligation and band of manrent vsit and wount within this realme, that we sall doo lele and trew and afald seruice to the said reuerend fader, with oure kyne, freyndis, assistaris, part takaris, allyas, thame of oure surname, and vtheris that will do for ws, induring all the dayis of the said reuerend faderis, and oure lyvetymez ; and sall tak his trew and plane partt, ryde, gang and serve him in all partis quhare he sall happin to have adoo, and quhattyme and quhow offt we happin to be requyrit be him or thame havand power of him in his absence, agains all mortall, our souerane lady the Quenys grace, hir successouris, and my Lord Gouvernour alanerly exceppitt : and sall geiff the said reuerend fader oure lele trew and afald counsele quhen we be requyrit therto : and sall nocht wit of his hurt, skaith or damage, bot we sall aduerteis him thairof. And for observing and keiping of the premissis, we bynd and obleiss ws and oure airis be the faith of Cristyn men, the haly ewangellis twichet, and undir the panys of periure inhabilite and infamation. And for coroboratioun of the samyn, to this present write and band subscriuit with oure handis, we have affixit oure seelis to the samyn, and is contentit that this write be registraitt in the officiall bukis of Murray, and to have strenth of act. At Spyne, the fyrst day of Maii, in the yere of God ane thousand fyve hundreth and fourtyfyve yeris, befor this witnes ; ane honorable man, James Ogilvy of Cardell, Sir Thomas Wallace person of

Unthank, George Kyrk, James Innes, and Johnne Philp, with vtheris diuers.

‘ HUCHON ROS, baroun of Kilrawok,

‘ JOHNE ROS of Ballewat,

‘ ALEX<sup>R</sup>. ROS of Holm, and

‘ ALEX<sup>R</sup>. DOLLAS of Cantra,

‘ With oure handis at the pen, led be ane honorable man, George Strathauchin of Cullodin, at oure speciall command.’

The Bishop’s letter in response also supplies interesting information with regard to the doings of our laird and his neighbours and friends : it is noteworthy that his namesake of Budgate has no part in these amicable arrangements :—

‘ Be jt kend till all men be thir present lettres, ws Patrik, be the mercie of God, bischope of Murray, and comendatour of the abbay of Scone ; ffor samekle as honorabill men, Huchon Ros of Kilraok, Johnne Ros of Balliuat, Alex<sup>r</sup>. Ros of Holme, and Alex<sup>r</sup>. Dolles of Cantray, ar bundin and obleist to ws, in leill trew and anefold seruice, with thair kyn, freindis, surname, part takaris, allyas, and assistaris, as thair band of seruice mair fullie proportis, to be bundin and obleist, and be the tenour heirop, bindis and oblesis ws, be the fayth and trewth in oure bodie, in the stretast forme of obligacioun wsit within this realme, that we sall manteine and defend the saiddis Huchon, Johne, Alex<sup>r</sup>., and Alex<sup>r</sup>., thair aris, surname, kyn, and freindis, in all thair just and lesum actionis, querellis and causis, with oure kyn, freindis, seruandis, allyas, part takaris and assistaris, quhen ewir we be requirit therto, agains all deidlie, our soueraine ladie the Quenis grace, my Lordis Gouvernour, thair auctorete, the Lard of Innes, James Grant of Fruquhy, and Jhone Grant his sone and ayr, alanerlie exceppit, and sall giff thame our leill trew and ane fold counsall, and sall nocht wit nor here of thair skayth, bot shall aduerteis

thame therof, with all wther thingis that ar vsit and acustumat in bandis of kyndnes and manteinans within this realme. And for obseruing and keping of all and sundrie the premisses, we haif subscriuit this ovr bandis of manteinans, and caussit our round seill to be affixit to the samyn At Spyne, the sext day of May, the yeir of God ane thousand fif hundret and fourte fif yeris, befoir thir witnes ; Sir Thomas Wallace, Patrik Kynnard, Master Johne Innes, George Kirk, and Johne Philp, with vtheris diuers.

‘PATRIK, bischope of Moraye, comendatar off Scone.’

On the day preceding the date of this letter, Alexander Dallas obtained a grant of the episcopal lands of Croy, which is duly recorded in the Bishop’s register (*Reg. Morav.*, 340). The original grant is still preserved at Cantray. It is a charter by Patrick, Bishop of Moray, and perpetual Comendator of the Abbey of Scone, with consent of the Chapter of the Cathedral Church of Moray, for the augmentation of their rental to the extent of 3s. 4d. Scots, as also for the policy of the kingdom and a large sum of money paid to them by an honourable man, Alexander Dolles of Cantray, and for other gratitudes and good deeds often done to them by him, granting to the forenamed Alexander Dolles of Cantray and the heirs-male of his body lawfully procreated or to be procreated, whom failing the true and lawful and nearest heirs-male and assignees of the said Alexander, bearing the surname and arms of Dolles, of all and whole the lands of Croy, with the brewhouse and croft thereof, lying as follows :—‘ Begynnand at the north est nuyk of the vicaris manse of Croy to the strype that cummis of the fuyrd at the kirkstyle and the landis of Kilravok on the sowth syd of the stryp and the landis of Croy at the north syde of the strype and the foirsaid strype to be haldynne ever for ane marche betuix the landis of Croy and Kilrawok sa far as Croy hes bundis and lyis on the said strype or the pertinentes of the samyn ;’ within the barony of Arclaucht,

regality of Spynie and sheriffdom of Inverness ; which lands were formerly let in tack for the sum of £4, 13s. 4d., or mart worth 24s., two sheep each worth 4s., and for two hens, each worth 1s. 2d., with a dozen poults each worth 3d., also for two bolls of oats each worth 4s., and two bolls of dry multure, each worth 6s. 8d., the whole amounting to £7, 12s. 0d. ; for the grassum yearly 26s. 8d., and for arreages and carriages 6s. 8d. yearly, to which is now added 3s. 4d. of augmentation yearly. To be held of the granter and his successors in feu farm for payment of the before-mentioned sums as feu duty, with duplication at the entry of heirs. The charter contains a clause of warrandice, and is dated at Elgin in the Chapter-house, 5th May 1545, the names of the witnesses not being filled in. Signed by the Bishop and by Alexander Sutherland of Duffous, John Cohen of Inverkethny, prebendary, Thomas Wallas, rector of Unthank, Alexander Hepburn, rector of Rye (?) and Gavin Lesly, rector of Kingussie. The Bishop's seal and the seal of the Chapter are still appended, though somewhat broken. (*Cantray Chart.*)

This charter was followed by a precept of sasine by Patrick, Bishop of Moray, directed to James Innes in Drany, his bailie, narrating his granting of the foregoing charter and directing him to give infeftment thereupon, and dated 5th May 1545 as the charter ; the witnesses being Henry Lumisdale, rector of Kynkell, James Ogilvy of Cullard, James Innes in Drany, Patrick Hepburn, Hew Cragy, John Gibsoun and William Vysman, notaries, signed as the charter, with the addition of Thomas Gaderar of Calaracy : fragments of the two seals are still attached. (*Cantray Chart.*) Then followed an instrument of sasine dated 7th May 1545, in these terms :—

‘In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo quadragesimo quinto mensis vero Maii die septimo indictione tertia ponti-

ficatus sanctissimi in Christo Patris et Domini nostri Domini Pauli divina providentia Pape tertii anno undecimo In mei notarii publici et testium subscriptorum ad hoc vocatorum pariterque et rogatorum presentia personaliter constitutus honorabilis vir Alexander Dolles de Cantray accessit successive et respective ad terras ecclesiasticas de Croy Brasinam et croftam ejusdem jacentes infra baroniam de Arclauth regalitatem de Spyne et vicecomitatum de Innernes Et ibidem quoddam preceptum saisine sive literam ballivatus Reverendi in Christo Patris et Domini Patricii miseratione Divina Moraviensis Episcopi ac de Scona commendatarii perpetui in pergamino scriptum sigilloque rotundo et subscriptione manuali ejusdem ac sigillo communi capituli ecclesie cathedralis Moraviensis canonicorumque ejusdem subscriptionibus manualibus subscriptum sigillatum et roboratum provide viro Jacobo Innes de Drany ballivo dicti reverendi patris in hac parte per hujusmodi preceptum saisine specialiter constituto presentavit tradidit et deliberavit pro saisina hereditaria omnium et singularum terrarum de Croy cum brasina et crofta ejusdem predictarum danda eundemque Jacobum Innes ballivum in hac parte predictum instanter requisivit quod hujusmodi preceptum saisine sive literam ballivatus debite executioni in omnibus suis punctis et articulis secundum vim formam tenorem et effectum ejusdem demandaret Quodquidem preceptum sive literam ballivatus idem Jacobus ballivus in hac parte predictus et qua decuit reverentia recipiens michi notario publico subscripto tradidit perlegendum cujus precepti tenor sequitur et est talis Patricius miseratione divina Moraviensis Episcopus ac Monasterii de Scona commendatarius perpetuus dilectis nostris Jacobo Innes de Drany Willelmo Morresoun Ballivis nostris in hac parte specialiter constitutis Salutem Quia cum expressio consensuit assensu capituli nostri ecclesie nostre cathedralis Moraviensis ad hoc capitulariter congregati in evidentem utilitatem prefate nostre ecclesie et augmentationem nostri rentalis ejusdem exten-

dentis annuatim ad summam tredecim solidorum et quatuor denariorum monete regni Scotie plusquam terre subscripte prius nobis aut predecessoribus nostris persoluerunt necnon ad decorum et policiam reipublice regni et contemplationem statutorum parlamenti desuper editorum Et pro reparatione et exstructione edificiorum domorum lapidearum stagnorum pomeriorum hortorum et columbariorum super terris infra scripto inquantum portare poterint Necnon pro quadam inæqua summa pecuniaria nobis per honorabilem virum Alexandrum Dolles de Cantray gratanter et integre persoluta et in usum nostrum et dicte nostre ecclesiae cathedralis conversa Et pro aliis gratitudinibus auxiliis et benemeritis per ipsum Alexandrum nobis multipliciter prestitis dedimus concessimus arrendavimus locavimus et ad feodifermam seu empheteosim hereditarie dimissimus prenominato Alexandro Dolles de Cantray et suis heredibus masculis de corpore suo legitime procreatis seu procreandis quibus omnibus forte deficientibus veris legitimis et propinquioribus heredibus masculis dicti Alexandri et assignatis suis quibuscumque arma et cognomen de Dolles gerentibus et portantibus Omnes et singulas terras nostras de Croy cum brasina et crofta ejusdem cum pertinentiis jacentas in baronia de Arclauch regalitatem de Spyne et vicecomitatum de Innernes prout in carta nostra desuper confecta latius continetur Vobis igitur ballivis nostris ante dictis et vestrum cuilibet precipimus et firmiter mandamus quatenus visis presentibus indelate statum saisinam et possessionem hereditariam dictarum terrarum cum pertinentiis prenominato Alexandro Dolles vel suo certo actornato latori presentium per terre et lapidis traditionem super fundum earundem terrarum ut moris est in talibus travatis deliberetis juste haberi faciat et hoc nullo modo omittatis et vestrum quilibet requisitus tradat deliberet juste haberi faciat et hoc nullo modo omittat juxta et secundum vim formam et continentiam carte nostre desuper facte Ad quod faciendum vobis ballivis nostris ante dictis et vestrum

cuilibet conjunctum et divisum nostram liberam puram et omnimodam potestatem damus et committimus per presentes sine revocatione duraturum In cujus rei testimonium sigillum nostrum rotundum presentibus est appensum cum nostra subscriptione manuali una cum sigillo communi capitulari Moraviense et subscriptionibus canonicorum ejusdem capituli capitulum pro tempore representantium in signum eorum consensus ad premissa Apud Elgin in loco capitulari Moraviensis quinto die mensis Maij anno Domini millesimo quingentesimo quadragesimo quinto coram hiis testibus venerabilibus et honorabilibus viris magistris et dominis Henrico Lumisdaill rectore de Kynkell Jacobo Ogilvy de Cullard Jacobo Innes de Drany Patricio Hepburne Domino Johanne Gibsonne Hugone Cragy et Magistro Willelmo Wisman Notariis publico Post cujusquidem precepti saisine productionem presentationem exhibitionem deliberationem et lecturam idem Jacobus Innes ballivus in hac parte predictus sentiens Hujusmodi requisitionem fore justam et rationi consonam volensque hujusmodi precepto parere statum saisinam hereditariam pariterque et possessionem realem actuaalem et corporalem omnium singularum terrarum predictarum de Croy cum brasina et crofta ejusdem et pertinentiis suis quibuscumque jacentarum ut supra respective et successive super solum earundem terrarum per terre et lapidis fundi earundem terrarum traditionem ut moris est juxta vim formam tenorem et effectum dicti precepti saisine et carte desuper confecte dicto Alexandro Dolles dedit realiter ac cum effectu deliberavit Eundemque Alexandrum Dolles in realem et corporalem possessionem dictorum terrarum cum pertinentiis suis universis induxit instituit et investivit ac in pace dimisit ceteraque fecit prout in dicto precepto saisine continetur Super quibus omnibus et singulis predictus Alexander Dolles de Cantray a me notario publico subscripto sibi unum vel plura publicum seu publica instrumentum seu instrumenta fieri petiit Acta erant hec apud Croy super solum seu messuagium



earundem terrarum horam circiter quartam post meridiem sub anno die mense indictione et pontificatu quibus supra presentibus ibidem honorabilibus et discretis viris Hugone Ros de Kilrawok Alexandro Ros de Holm Willelmo Moresoun Johanne Dow Willelmo Ross et Thoma Trollis sargiando cum diversis aliis testibus ad premissa vocatis pariterque rogatis Et ego Willelmus Wysman presbyter Moraviensis dioceseos publicus sacra auctoritate apostolica notarius Inia premissis omnibus et singulis dum sic ut premittitur agerentur dicentur et fierunt una cum prenominatis testibus presens interfui Eaque omnia et singula sic fieri vidi scivi et audivi ac in notam cepi Ideoque hoc presens publicum instrumentum dicti precepti saisine in se continentem tenorem manu mea propria fideliter scriptum cum appendatione sigilli prescripti Jacobi ballivi saisinam dantis roboratum ex inde confeci et in hanc publicam instrumentalem formam redigi Signoque nomine cognomine et subscriptione meis solitis et consuetis signavi rogatus et requisitus in fidem et testimonium omnium et singulorum praemissorum.'

It may be convenient to state here that the transaction was completed four years later by a papal confirmation of the foregoing charter on a commission of inquiry granted to John Thornton, precentor of Moray, and Henry Forrous [Forrester], canon of Ros, in which the charter is recited at length. The confirmation is dated in the aisle of St. Giles within the Cathedral Church of Moray, 20th May 1549, the witnesses being James Dunbar of Conze, Sir Andrew Wallace, priest, and others. The two seals of the Commissioners are still attached. (*Cantray Chart.*)

It is probable that the engagements with respect to the purchase and exchange of lands into which Alexander Dallas had entered put him to some pecuniary inconvenience, and it is found that, in consideration of a sum of money paid to him, he granted a charter to David Baillie and Margaret Ros, his

spouse, of the lands of Myd Lairge and Eister Lairge, in the barony of Cardell and sherifffdom of Inverness, to be held by the said David and his heirs of the Queen, dated at Inverness, 6th July 1546, and witnessed by George Strathauchin of Cullodin, John M'Quheyn, Angus M'Culloch, Pat. Strathauchin, Rob. Vaus, burgesses of Inverness, and signed by the said Alexander Doles by a notary. (*Reg. Mag. Sig.*, 1513-46, 769.) A composition of £51 was paid on 1st October 1546 on confirmation of this charter. (*High Treasurer's Accounts*, vol. viii. p. 204.) This charter would naturally be accompanied by letters of reversion, and the lands did not pass permanently into Baillie's hands.

Shortly afterwards Alexander Dolles of Cantray, baron of Rathmurchus, granted a charter to Andrew Bayne Makyn-naycht and his heirs and assignees of his lands of Kennapoild and their pertinents in the barony of Rathmurchus, regality of Spynie and sherifffdom of Inverness, to be held of the granter and his heirs in free blench ; dated at Cantray, 2nd March 1549-50, and witnessed by John Dolles, William Dolles, Patrick Dolles, John Dowe, and Sir Thomas Strathauchin, curate of Nairn and notary. The laird signs by the aid of the notary and appends his seal, on which is a shield containing two bars and in chief three stars, with the legend *S. Alexandri Dolles de Cantray*. This charter is followed by a precept of sasine, dated and attested as the charter, and having the granter's seal still attached, though more broken than the other. (*Mackint. Mun.*, 23.) These documents are specially interesting as giving the probable relative ages of Alexander Dallas's three sons, and as showing him in actual possession of the barony of Rothiemurchus.

On 18th August 1551, before the High Court of Justiciary, Alexander Doles of Cantra, together with Lord Lovat, Archibald Campbell of Calder, Robert Murray in Fyndorne, and Alex<sup>r</sup>. Falconer of Lethane, was amerced for not appearing to pass on their assize. (*Pitcairn's Crim. Trials*, i. 359.) He

was, however, at this period very active in the affairs of the Sheriff Court of Inverness, and is frequently mentioned as serving on assizes and juries there. As few of the retours of these juries have been returned to Chancery, they may be briefly recorded here. On 8th March 1554-5, Alexander Dollace of Cantray and Alexander Dollace of Buddythe served on a jury for the retour of Lord Gordon; on 21st May 1555 Alexander Dollace of Cantray was on a jury for the retour of Robert Carnecors; on 31st July 1556 of Huchoun Fraysser; on 31st July 1557 of Duncan Bayn of Tully†; and on 15th April 1561 of Frennocht M'Kenze of Brayne.

After the death of James Grant of Fruquhy, in 155, inventories were made of his 'goods.' In the first of these, dated 1st June 1553, Alexander Dollace of Cantray is recorded as a debtor to the extent of £200, and in the second, dated 2nd August 1553, of £666, 13s. 4d. Though it may be assumed that these debts had relation to the exchanges of land arranged between Grant and Dallas, there is nothing to disclose their exact nature. (*Grant*, iii. 109.) In the same year, in consideration of a sum of money, Alexander Dolles of Cantray granted a charter of his lands of Myd Large and Eister Large, with the mill, multures, tenants, etc., in the lordship of Strathnairn and sherifffdom of Inverness, to Thomas Narne of Cromdaill and his heirs or assignees, to be held of the Queen, and witnessed by Henry Dolles, son and apparent heir of the said Alexander, and by John Dolles, Donald Makkerane, Jo. Narne, M. Jac. Farquharsone and M. Martin Lagy, notary public, and dated at Inverness November 1553. (*Reg. Mag. Sig.*, 1546-80, 201.)

On 12th April 1555, Alexander Dolles of Cantray, in presence of Sir Thomas Strathachin, notary public, Patrick Dolles, and others, with consent of Elizabeth Lesle, his spouse, appointed Henry Dolles, his eldest son, his assignee to the nineteen years' tack made to him by James Ogilvy of Cardells and Janet Gordon, his spouse, Lady of Dunnatin (?), of the

lands of Wester Lairge with the mill, etc., in the lordship of Strathnairn (*Prot. Bk.*, Douglas, xvii. fol. 1), and shortly after he obtained from Robert Dunbar of Durris, with consent of Cristane Leirmonth, his spouse, a charter of the lands of Lowpane, to be held by him and his heirs by the late Issobel Leslie, his spouse, of the Queen by the usual service and homage. The charter is dated at Grangehill 16th August 1556, and is witnessed by Wil. Croftis, Pat. Dollace, Jac. Dunbar, Wil. Young and Francis Kardye, and is subscribed by the said Cristane, with her hand at the pen, led by Sir David Cunyngham, notary public. (*Reg. Mag. Sig.*, 1546-80, 244.)

Besides the lands of Lopane, Alexander Dallas had obtained from Robert Dunbar other lands in Durris, and these are referred to in the letters of reversion by Alexander Dollace of Cantray, narrating that Robert Dunbar of Durris has sold to him and Isobel Leslie, his spouse, the lands of Ballyblair and their pertinents within the barony of Durris and sheriffdom of Inverness, and promising that whenever Robert Dunbar or his heirs shall pay to them two hundred merks upon the high altar in the parish church of Alderne, he and his heirs will renounce the same. The place and date of subscription are not filled in, save 155 , but the deed is signed by the granter with the aid of M. Martyne Logye, notary, before these witnesses, David Dunbar, son and heir of the said Robert Dunbar, Sir Gilbert Cant, chaplain, James Tolmye, Sir John Gibson and the foresaid notary. The granter's seal is attached, on which is a shield containing two bars between two stars in chief and as many in base, with the legend S. ALEXANDRI DOLLES. (*Mackint. Mun.*, 24.)

It is much to be regretted that of an action commenced in the Sheriff Court of Inverness about this time no record now exists save the two entries which follow, and we are consequently left in ignorance as to the nature of the dispute between Cantray and Budgate. Both entries are dated 27th April 1557 :—

‘That day Allexander Dolles of Cantray and Patric Dolles his son hes constitut Mr. Alexander Dowglas thair procurators in the action and caiss moved be thame agains Allexander Dolles of Buddeth *et promiserunt de rato.*’

‘That day Allexander Dolles of Buddeth hes constitut Sir James . . . ton his procurator in the action and caiss moved agains hym be Allexander Dolles of Cantray and Patric Dolles *et promisit de rato.*’

In the same year Alexander Doles of Cantray, in consideration of a sum of money paid to him, granted a charter to Angus M’Cuintosych, son and apparent heir of Donald M’Cuintosych, his heir and assignees, of the lands of Loppen, with the mill in the barony of Duris and sheriffdom of Invernys, dated at Invernys 26th September 1557, and signed by the said Alexander with his hand led at the pen, the witnesses being Robert Marschall in Invernys, Sir David Cuthbert, vicar of Warlaw, Eugene M’Ferquhar Reoch and Sir James Bucheart, notary. (*Reg. Mag. Sig.*, 1548-80, p. 275.)

It would appear that not only the lands of Lairgs, but also those of Croy, were disposed of to Thomas Nairn, for amongst the Cantray charters is an instrument dated 20th May 1560, whereby Thomas Nairn of Cromdale, within his place of Cromdale, grants receipt from John Dallas, son of Alexander Dallas of Cantray, of the sum of thirteenscore merks as the redemption money of half the lands of Croy which had been wadset to Nairn by the said Alexander Dallas. (*Cantray Chart.*)

On 14th January 1560-1, at the Sheriff Court of Inverness, it was recorded: ‘Alexander Dollace excussit because he is seik’; but on 15th March following, Mr. Richard Strang, as procurator for Alexander Doles of Cantray, appointed by letters dated at Kilraway 1st November 1560, appears and ratifies on behalf of the said Alexander and his heirs a decree

pronounced by the Lords of Council at Edinburgh on 7th July 1557, in favour of George, Lord Gordon, and for ever renounces all action, title, and claim which they had or may have against George, Earl of Huntly, for warrandice of the lands and barony of Rothiemurchus: the letters of procuratory are inserted. (*Bks. Counc. and Sess.*, iv. 83.)

An act of lawless violence is revealed in certain entries in the books of the Inverness Sheriff Court, the first of which is dated 31st July 1561: 'That day Alexander Dolless of Cantray being chargit for entering of Donald Tayleour quhilk was attachit for the art and part of the crwell slachter of Jannet M'Corkyll qwlk wes slane the xvij day of Julii and thereafter the said Dolles intromitted and wald nocht entyr hyme efter he wes chargit throw the quhilks he hes incurrit the panes contained in the proces and breking of the generall band and thairfoir hes to be persewit for the art and part of the crwell slachter of the said Jannet M'Corkyll.'

The case is again referred to on 29th November 1561:— 'That day Allexander Dollace of Cantray hes comperit this day for relyf of his souertie he com for entering of Donald Tayleour to onderly the law for the crwell murthyr of Jannet Myk Kerkyll apou foure days varnyng onder the pane of forte pundis.'

The final entry, which leaves us still in ignorance of the circumstances under which the 'crwell slachter' was committed, is dated 21st March 1561-2: 'That day Alexander Dollas of Cantray enterit Donald Taillyeour as he com cautioun to entyr him to this day befoir the Shiref principall of Inverness quha hes tane Act of Court upon his entering and protestit to be fre of his souertie.

'That day Alexander Dollace of Cantray is becummin actit souertie to entyr Donald Taillyeour as he that wes archin and part of the slauchter of Jannet M'Corker quha was murdreist the xvij day of Julii last bypast to underly the law upon ane xv dayes warnyng within the tolbuith of

Innerness befor the Shiref principall of Innernes or his deputis under the pane of ane hundreth merkis.' (*Invern. Sheriff Court Books.*)

Another entry in the Sheriff Court Books of Inverness now to be noticed is of special interest, as the lady therein mentioned must undoubtedly have been the widow of the laird's eldest son Henry, and was probably making a claim under her marriage settlement. The entry is dated 7th April 1562: 'That day James Paterson procurator foresaid producit in jugement ane shireff precept dewlie execute and indorsat contra Alexander Dollace of Cantray for the wranguse haldin fra Ellyne Ross the malis of the half myll of Cantray on Witsonday and Martinnes in anno mv and saxe ane yeris and the said Dollace desyrit the said Ellyne to produce hyr intres and the jugis hes consignit hir to produce the samyn and to wairne the Dollace upon ane xv dayis warning.'

This Ellen Rose was, as will appear in a subsequent record, infest in the half mill and mill lands of Cantray on 26th April 1558, and married secondly, John Mackintosh Williamson of Termet, and thirdly, John Stewart, baron of Kincarne: she was the fifth daughter of Hugh Rose, ninth baron of Kilravock. (*Kilr.*, 70.)

After the death of his eldest son, which appears to have occurred in 1561, the laird made provision for his grandson and heir, Alexander Dolles, to whom he granted the lands of Cantray, Croy, and others, the latest of these grants being on 11th July 1563. He did not long survive this date, and was dead on 25th January 1563-4, when John Grant, burgess of Inverness, compears before the Burgh Court and requires Sir David Cuthbert, as engaged for his relief, to pay one hundred merks to Muriel Calder of that ilk. John, Com-mendator of Archattan, also compears and produces an act from the Consistorial Books of Inverness, dated 20th September 1556, in which Alexander Dollace of Cantrey and John Grant, burgess of Inverness, are jointly engaged as cautioners for Sir

David Cuthbert, vicar of Warlaw, for the teinds of the burgh of Inverness for the crop of 1556.

John Grant pleads that he is due nothing to the said Commendator, but only to Muriel Calder ; but the Commendator replies that it is quite well known that he has been in use to uplift the teinds of the whole parish of Inverness as tutor and curator to John Campbell, his brother's son, as son and heir to the deceased Archibald Campbell of Calder, for the last thirteen years or so, and avers that any discharges by Muriel Calder could only be as factor for him. A discharge is produced for ten pounds paid by the deceased Alexander Dollace of Cantrey as cautioner for the said Sir David Cuthbert, dated 29th April 1557.

It may be mentioned that the case was still unsettled, 29th January 1567, when it was shown that Grant and Dollace had been pointed at the instance of Muriel Calder, with whom they compounded, and meanwhile John, Commendator of Archattan, received ten pounds of the fifty merks due to him from Dollace. The judges ordain John Grant to make account and reckoning of the sum of one hundred merks contained in the act, and summon Muriel Calder to give evidence as to what she has received, sending, however, a messenger to take her evidence on oath.' (*Invern. Burgh Rec.*)

Alexander Dallas had by his wife, Isobel or Elizabeth Lesly, at least four sons : (1) Henry, who predeceased him, (2) John, (3) William, and (4) Patrick ; and probably the person whose singular name of Aripitell, Arpitell or Arpiter Dallas occurs several times between 1577 and 1605 was another son.

1. HENRY DALLAS, the eldest son, married, as has been said, Helen, daughter of the baron of Kilravock, and had, besides his eldest son Alexander, who succeeded his grandfather, two younger sons, Henry and John, the former of whom, as heir-male, had sasine of the lands of Croy by an instrument dated 17th April 1565, proceeding upon a precept



of *clare constat* granted by Patrick, Bishop of Moray, and dated at Scone 1st March 1564-5, one of the witnesses to the sasine being John Dolles in Cantray. (*Cantray Charters*.) Two years later he obtained from the Bishop a charter of confirmation in these lands, which is duly recorded in the episcopal register, and furnishes particulars of Henry's marriage :—

‘Confirmatio Ab Episcopo cartæ dictarum terrarum de Croy factæ ab Henrico Dolles nepote et herede quondam Alexandri Dolles predicti, honorabili domicellæ Elspetæ Ros (filix quondam Joannis Ros de Ballivat et Mariotæ Dunbar ejusdem relictæ), in vitali redditu, pro perimptione contractus matrimonialis inter ipsos 9 Maii 1567. Apud Elgin, 9 Maii 1567; coram testibus Johanne Narne de Cromdall, Johanne Ross de Ballewate, Joanne Annand burgensi de Elgin, Alexandro Dolles de Buddiuet. Testibus ad confirmationem, Jacobo Strathachin rectore de Balhelvyn, Andrea Moncreffe, Jacobo Moncreffe, ac Davide Cummyng servitoribus Episcopi. Apud Elgin, 20 Maii 1567.’ (*Reg. Morav.*, 398.)

On 16th April 1568 there was registered a contract of that date, made at Inverness, between Hendre Dolles of Croy and Alexander Morrey in Croy, whereby Henrie Dolles sells to Alexander Morrey one eighteenth and half of an eighteenth part of the lands of Croy, lying on the east side of the kirk of Croy, and others; and because Elspet Ross, spouse to the said Hendre, has the liferent of the lands of Croy, he obliges himself to get her consent and thereafter to infest Alexander Morrey, the grant to be under reversion for one hundred merks. One of the witnesses to the contract is William Dollas in Cantrafreis. (*Prot. Bk.*, W. Cuming, xxv. 92.)

On 23rd August 1568 Hendre Dolles of Croy complained that David Ros of the Holme had made ‘novatioun’ on his lands of Croy by ‘teling of land within the marches of Croy,’ and he takes instruments: the witnesses are Alexander

Dolles, John Dolles in Croy and George Dolles. (*Prot. Bk.*, W. Cuming, xxv. 107.) As will presently be seen, he is mentioned, 13th December 1569, as father's brother of Marjory Dallas, the heiress of Cantray, but he must have died without male issue not long afterwards, as in 1571 his episcopal lands of Croy had passed to his brother John Dallas, as recorded in the episcopal register :—

‘Preceptum de clare constat ab Episcopo datum ad infeofandum in dictis terris de Croye, limitatis ut supra [*see* charter of 1545], Johannem Dolles sicut heredem dicti Henrici Dolles defuncti, fratris germani reservato vitali redditu predictæ Elspetæ Ros. Testibus Andrea Moncreiff, Davide Cuming, dominis Jacobo Sandeson, Jacobo Sibbald. Apud Spyne, penult. Julii 1571.’ (*Reg. Morav.*, 398.)

For some reason another precept of *clare constat* was granted by the Bishop a few years later, in the following terms :—

‘Georgius miseratione divina Episcopus Moraviensis dilecto nostro Johanni Ross filio Johannis prepositi de Nairne ballivo nostro in hac parte ballivo Salutem Quia nobis clare constat et est notum quod quondam Henricus Dolless nepos quondam Alexandri Dolless de Cantray obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem supremi domini nostri Jacobi Dei gratia Scotorum regis eo nomine sexti de omnibus et singulis villa et terris de Croy cum brasina et crofta ejusdem jacentibus prout sequitur in vulgari Begyunand at the north nuik of the vicaris manss of [Croy] to the strype that cummis of the fourd at the kirk styll and the landis of Kilrawok on the south syd of the strype and the landis of Croy on the north syd of the strype and the forsaid strype to be haldin for ewir for eine merch betwix ye landis off Croye and Kilrawok sa far as Croy his bondis and lyes on the said strype with the pertinentis of the samyn ac infra baroniam de Ardclay the regalitatem de Spyne et vicecomitatum de Innerness Et quod

Johannes Dolless frater germanus dicti quondam Henrici Dolless lator presentium est legitimus et propinquior heres masculus dicti quondam Henrici in et ad predictas villam et terras de Croy cum brasina et crofta ejusdem jacentas ut supra Et quod dictus Johannes est legitime etatis Et quod dicte villa et terra de Croye cum brasina et crofta ejusdem de nobis tenentur in capite in feudifirma per solutionem annuatim summe novem librorum octodecim solidorum octo denariorum usualis monete regni Scotie per equales divisas medias portiones ad festa penthecostes et Sancti Martini in hyeme solita et consueta et aliarum denariorum et servitiorum prout in antiquo infeofamento super dictis villa et terras de Croy cum brasina et crofta ejusdem jacentibus ut supra dicto quondam Alexandro Dolless avo dicti Johannis Dolless confecto latius cavetur Vobis igitur precipimus et mandamus quatenus visis presentibus accedatis ad predictas villam et terras de Croye cum crofta et brasina ejusdem jacentas ut supra Et ibidem super solo earundem sasinam hereditariam statumque et possessionem omnium et singularum ville et terrarum de Croy cum brasina et crofta predictarum dicto Johanni Dolless tanquam legitimo et indubitato heredi masculo prefati quondam Henrice sui fratris germani in et ad predictas villam et terras de Croy cum brasina et crofta antedictis cum suis pertinentiis jacentas ut supra Tradatis et deliberetis et hoc nullo modo omittatis ad quod faciendum vobis ballivo nostro antedicto nostram plenarium et irrevocabilem tenore presentium committimus potestatem In cujus rei testimonium manuali nostra subscriptione munita et roborata sigillum nostrum rotundum hiis presentibus est appensum apud palatium nostrum de Spyne decimo die mensis Aprilis anno Domini millesimo quingentesimo septuagesimo sexto coram hiis testibus Dominis Alexandro Dowglass vicario de Elgin et Georgio Dowglass vicario de Abirchirdour cum diversis aliis.

GEORGIUS EPUS MORAVIENS.'

(*Cantray Chart.*)

Sasine followed upon this charter, the instrument being dated 13th June 1577. (*Cantray Chart.*) [This date is incorrect.] On 10th June 1577 occurs a charter by John Dolles, brother german and lawful nearest heir of the deceased Henry Dolles, formerly of Croy, selling to David Rose of Holme his lands of Croy to be held of the granter, upon which sasine followed upon the 13th June. (*Cantray Chart.*) The lands remained in possession of the Roses for some years, and then passed into the hands of Sir John Campbell of Cawdor by procuratory by John Ross of Holme as heritable proprietor and feuer of the lands of Croy in terms of a contract between him and Sir John Campbell of Calder, knight, for himself and as burdentaker for Agnes Ross, relict of David Ross, sometime of Holme, and Mr. William Campbell of Braicklie, now her spouse, by which John Ross has bound himself to resign these lands in the superior's hands in favour of the said Sir John. He appoints Andrew Innes, writer in Elgin, his procurator, for so doing. The deed is dated at Calder, 16th June 1608, one of the witnesses being Duncan Campbell, brother to the said Sir John Campbell of Calder. (*Cantray Chart.*) These lands were shortly afterwards conveyed by Sir John Campbell to William Dallas of Cantray.

A very interesting deed, throwing some light upon the ownership of Rothiemurchus and Lairgs, has now to be noticed. It is an instrument of redemption, dated 19th May 1587, narrating that John Dollace, lawful son of the deceased Henry Dollace of Rothiemwrquhuse, appeared within the place of Calder about 2 P.M., and acknowledged that he had received from Lachlan M'Yntoyschie of Dunnachtane for himself and in name and behalf of William Ross, apparent of Kilrawokis, the sum of 400 merks as the sum agreed upon for the redemption of a plough of land of the lands of Lairgs and of a piece of land called the Craygortane, with the alehouse croft of Lairgs, then tenanted by John M'Inneire, and four oxgang of the said lands sometime occupied by Donald

M'Phaill Wycht, now deceased, all in the barony of Cardell and shire of Inverness; and the said John Dollace accordingly renounces the same; witnesses, John Campbell of Caldor, James M'Yntoyschie of Gask, John Annand of Mwraaistoun, Hugh Campbell in Calder and John Or in Moye, Martin Logye being notary. (*Mackintosh Munim.*)

After this date John Dollace cannot be traced, nor have we any indication of his marriage unless he can be identified with John Dolles, whose spouse, Janet Ross, had liferent sasine of certain lands in the burgh of Nairn, with remainder to her son, William Dolles, heritably, a note of which occurs 17th September 1575, and will be again referred to. (*Prot. Bk.*, W. Cuming, xxxii. 124.)

2. JOHN DALLAS, the second son of Alexander Dallas of Cantray, has already been mentioned as receiving, on behalf of his father, the redemption money of Croy in May 1560, and he had appeared as a witness on more than one occasion.

On the death of his nephew, the young laird of Cantray, he appears to have taken an active interest in the affairs of the infant heiress, though unhappily with scant success, for, as will be presently seen, the wide possessions of the old laird were sadly diminished during the long minority of his great-granddaughter. Whether on the death of John Dallas of Croy he became heir-male of the family it is impossible to say, but no evidence is forthcoming of any nearer heir, and the manner in which he manipulated the affairs of Cantray, ultimately in the interests of his eldest son, lends probability to the belief. He was at first settled at Croy, but apparently, about the year 1571, he removed to Cantray, where he resided until his death, which may have occurred about 1586.

On 10th March 1560-1, John Dolles in Croy and others became caution in the Sheriff Court of Inverness for the entry of Thomas Stuart in Inverness, who was charged with theft (*Inverness Sheriff Ct. Rec.*, vol. ii.), probably indicating some

lawless act of spuilzie or fire-raising so common to the period, but what his interest in Stuart may have been there is nothing to show.

A not very illuminating record of the possession of lands in Nairn occurs on 13th December 1564, when John Dolles has appointed John Tulloch, burgess of Nairn, as procurator, to compear before the bailies of Nairn and resign all the lands contained in the charter of alienation made by him to Thomas Ross of Daltaleyth under reversion of one hundred merks: on this sasine was given to the said Thomas Ross, the instrument containing a description of the lands. (*Prot. Bk.*, W. Cuming, xxv. fol. 24.) And the same day Thomas Ross obliged himself that in case John Dolles was compelled to keep his tacks set to Alexander Daloquhe, that he will grant them and in return John Dolles promises him five years' tack of the lands after redemption. (*Ibid.*) On 18th February 1568-9 John Dolles, 'then in Croy,' had a charter of the lands of Drumoir Dolles, to which further reference will be made hereafter, and on 18th March 1570-1 the following agreement is recorded:—'It is appointit betwixt William M'Queyne on the ane pairt and John Dolles in Croy on the other pairt that William sall possess John Dolles in Croy [in] Cantray for the quhilks John Dolles sall nocht mak impediment nor contradiction to the varnyng quhilk William M'Queyne and his vyf sall mak on Johne to remuif out of Croy, bot schortle eftir the decreit sall remuif without forder process and atheris of thame and otheris thair freindis sall tak afald pairt with otheris. In case Johne fale Lachlan M'Yntosche obliss him peaceablie possess William M'Queyne in Cantray again. And this appointit before Lachlan M'Yntosche, Angus Williamson, William Cuthbert, burgess of Inverness, John Dolles in Brachlie, in the Castle of Inverness.' (*Prot. Bk.*, W. Cuming, xxv. fol. 127.)

M'Queen, who was of Corrybrough, derived his interest in the lands of Croy from his wife, Elspet or Elizabeth Rose,

who as wife of Henry Dallas of Croy had a life-interest in those lands: how he came to possess a claim upon Cantray enabling the exchange above recorded it is now impossible to say.

The Nairn burgh lands on which John Dallas granted a wadset to Thomas Ross in 1564 were on 10th November 1572 assigned to his eldest son: 'That day John Dolles hes maid creat nominat and ordainit Alexander Dolles his son lachfull, sone and appeirand aire gottin betwix him and Margrat Ross as follows:—

'Compeared personally John Dollas and for the singular love favour and affection which he bears to Alexander Dolles his lawful son and apparent heir begotten between him and Margaret Ross and for other reasonable causes appoints him his assignee to all and whole the lands roods acres and tenements underwritten lying within the Burgh of Nairn, viz. :—

'Two roods of land lying together on the north side of the said Burgh extending to the Highway on the South, to the sea on the north, and lying between the lands of George Chessolme on the west and the land of John Ross on the east.

'Three roods of land lying together in the Gawis extending to the highway on the south the sea on the north and lying between the lands of John . . . Burgess of Nairn on the west and the lands of Angus Ross on the east.

'Four roods of land lying together in the gatys extending to the Gallowgate on the south to the sea on the north and lying between the lands of John Tulloch both on the east and west.

'Other three roods of land lying together in the Gawis extending to the other Gallowgate on the south, the sea on the north and lying between the lands of John Tulloch on the east and the lands of John Ross Burgess of Nairn on the west.

'One rood of land in the said field between the lands of John Ross Burgess of Nairn on the east and west. Other three

roods of land in the Landfield of the Gawis extending to the other Gallowget on the south to the sea on the north and lying between the lands of Angus Ross on the east and the lands of John Ross Burgess of Nairn on the west.

‘ One rood in the said field lying between the lands of George Chessolme on the east and the lands of John Ross of Ballivat on the west.

‘ Two roods of land in the said field lying together adjoining the other Gallowget on the south the sea on the north and the lands of Alexander Calder on the west and the lands of John Ross of Ballivat on the east.

‘ One rood of land in the said field of the Gawis lying between the lands of George Chessolme on the east and “ Magra ” Calder on the west.

‘ Other two roods of land lying together in the said field between the lands of “ Mage ” Calder on the east and the lands of John Tulloch on the west and as far as these lands on the south and north.

‘ Other three roods of land in the said field lying between the lands of John Tulloch on the east and the lands of the deceased Alexander Ross of Holme on the west.

‘ One rood and a half-rood in the said field lying between the lands of Alexander Caddell on the west and the lands of Alexander Ross of Holme on the east.

‘ An acre of land called Villox Butts lying between the lands of John Ross Burgess of Nairn on the north the Gallowget on the south the lands of Angus Ross on the east and the lands of the Community of Nairn on the west.

‘ An acre of land lying in the Mylbank between the lands of John Ross Burgess of Nairn on the west and the Smyddie Croft on the north the road to Kildrummie on the south and to Abyrnydir on the north.

‘ One rood of land lying in the Mill Bank between the lands of Alexander Caddell on the east and the lands of Janet Cadell on the west the front thereof being towards the



Galloget on the north and the back towards the freshwater of Nairn on the south.

‘Two roods of land lying together in the field called the Mylbank between the lands of Angus Ross on the west the lands of John Ross on the east fronting the Gallowget on the north and having the freshwater of Nairn on the south.

‘And other three roods of land in the said field of the Mylbank lying between the lands of John Ross Burgess of Nairn on the east the lands of the Community of Nairn on the west fronting the highway on the north and with the back towards the freshwater of Nairn on the south.’

Moreover, he gives him right to redeem all these lands foresaid from Thomas Ross and his heirs by payment of one hundred merks Scots within the parish church of Nairn. The deed further mentions the fact of resignation made by John Dolles in the hands of William Tulloch, one of the Bailies of Nairn, and of sasine given to the said Alexander Dolles before witnesses, one of whom is John Dolles, second son of the said John Dolles. (*Prot. Bk.*, W. Cuming.)

The description of these burgh lands, useful for local topography, is translated from the Latin, and would seem to indicate property of considerable extent and value.

Not long after this assignment, on 17th September 1575, sasine is given to Janet Ross in liferent, and to William Dolles, her son, lawfully procreate between her and John Dolles, in fee of certain acres (of which a description is given), etc., in the burgh of Nairn under reversion of one hundred merks, held by Alexander Dolles, son and heir apparent of John Dolles in Cantray, amongst the witnesses being John Ross, Provost of Nairn (*Prot. Bk.*, W. Cuming, xxxii. fol. 124), but there is no evidence as to the identity of this John Dallas, spouse of Janet Ross: it is possible that he may be John Dallas of Croy already mentioned, or he may be identical with that person's half-brother, John Dallas, a natural son of Henry Dallas, apparent of Cantray, who was living in 1576,

as will be presently shown. Nor has any evidence been met with as to the ultimate destination of the extensive burgh property dealt with in the foregoing deeds.

On 27th November 1577 Johne Dollass in Kantray serves on an assize for the retour of Margaret Strachan in the lands of Culloden and others (*Inverness Sheriff Ct. Bks.*, i.); and two years later, on 22nd June 1579, John Sutherland and Alexander Sutherland in Nairn discharge themselves of three oxgang of land of the roods of Nairn occupied by them in favour of John Dollas in Cantray. (*Prot. Bk.*, W. Cuming, xxxii. fol. 219.)

On 24th August 1583 a transaction is recorded which accounts for the lands of Drummoir for some quarter of a century. John Dolles in Cantray delivered to his brother, in keeping till he should infeft him in the half town and lands of Drumoyr Dolles, with the pertinents lying in the barony of Strathnairn and shire of Inverness, with the ward and relief thereof granted by John Ros in Cantradoun to John Dolles, which ward and relief the said John keeps in his own hands, the following writs :—

1. A charter and precept of sasine thereon by the said John Ross to the said John Dolles then in Croy of the said lands and ward and relief, dated at Kilravock 18th February 1568.
2. Instrument of sasine of same date.
3. Charter by Alexander Dolles of Cantrey to John Ros, dated 27th January 1561.

These are delivered by the said John Dolles to William Dolles till he fulfils his promise to infeft him in these lands upon a reversion to be made by William for sixty merks. (*Prot. Bk.*, W. Cuming, xxxix. fol. 27.) As will presently be seen, this option of redemption was exercised by Alexander, the son of John Dallas in Cantray, in 1588, when the lands of Drummoir became again incorporated with the Cantray property.

In November 1584 John Dolles in Cantrey served on a

jury at Inverness for the retour of Donald M'Angus M'Allester of Glengarie. (*Inverness Sheriff Ct. Bks.*, i.) On 24th May 1585 he had sasine on a charter by William Ross, apparent of Kilravock, of the mill and multures of Cantrey, dated at Kilravock, 22nd May, one of the witnesses to the sasine being Alexander Dolles, son and apparent heir of John Dolles in Cantrey (*Prot. Bk.*, W. Cuming, xxxix. fol. 62), and when on 23rd March 1586, Marjory Dolles, his grand-niece, had sasine of the lands of Cantralyse and others, John Dolles protested that this should not hurt his right to the Mill of Cantra. (*Prot. Bk.*, W. Cuming, xxxix. fol. 63.)

On 31st May 1586 Alexander Dolles of Buddet, John Dolles in Cantray, and William Dolles, his brother german, served on a jury at Inverness for the retour of Angus M'Intosh, but he does not appear to have long survived this date, his death certainly occurring before 13th February 1587-8. He married Margaret Rose, apparently daughter and heir of Peter Rose, son and apparent heir of John the Rose in Nairn, who on 12th May 1531, at Kilravock, witnessed a letter of lease by James Ogilvy of Cardall to Hugh Rose, ninth baron of Kilravock, of the lands of Inverarny (*Kilr.*, 201), which John Rose on 16th November 1540, at the Water of Nairn, witnessed a settlement of marches between Calder and Kilravock. (*Ibid.*, 205.) His death in July 1543 is recorded in the retour of Alexander Dallas, afterwards of Cantray, 2nd October 1582.

3. WILLIAM DALLAS, the third son of Alexander Dallas of Cantray, is first mentioned in the laird's charter of 2nd March 1549-50 already cited. On 10th July 1563 William Dolles in Ballafreis acts as bailie for giving sasine to Alexander Dolles of Ballafreish, his nephew, in the lands of Cantray, as will be more fully related below ; and on 9th June 1568 there is registered a contract between John Ross in Cantra-doun and William Dolles in Cantrafreis, whereby Ross makes

Dolles his assignee to the half of the town and lands of Drummoyr which were granted to him under reversion by the deceased Alexander Dolles of Cantrey for forty pounds, and William promises to pay him £46, 13s. 4d. by two instalments at the terms following. (*Prot. Bk.*, W. Cuming, xxv. fol. 98.) On 31st May 1586 Alexander Dolles of Buddet, John Dolles in Cantra, and William Dolles, his brother german, served on the jury for the retour of Angus M'Intosh, as already noted, and on 15th April 1587, Alexander Dolles of Budget and William Dolles in Cantray Frysser again served on a jury. (*Inverness Sheriff Ct. Rec.*, i.) This appears to be his latest appearance in the records. He married Janet Ross, as will be seen by a reference to the sasine of Alexander Dallas of Cantray in the lands and barony of Durris, 11th July 1563, presently to be mentioned, but no evidence as to his issue has come to light. It may, however, be regarded as certain that Henry Dollas in Ballefriess, who is one of the parties to a horning at the instance of David Rose of Holme on 18th August 1599, was his son; he was dead before 13th October 1629, when John Dollas was served heir to Henry Dollas in Bellafreish, his father. (*Gen. Retours*, 1536.) Of his ultimate successors nothing can be said with certainty. (Balfreish means Town of the Bushes.)

4. PATRICK DALLAS, the fourth son of Alexander Dallas of Cantray, appears with his brothers as a witness to his father's charter of the lands of Kennapoild on 2nd March 1549-50, and like them is frequently met with in the course of the family history. His association with his father in an action against Alexander Dollas of Budgate on 27th April 1557 has already been recorded, and possibly had reference to a wadset over the lands of Galcantray. Whether the following record in the Sheriff Court Books of Inverness may be taken as indicating a predilection for lawless associates is open to question, but certainly the latest known episode in his career would

not render the suggestion entirely gratuitous: '25th December 1560: That day Patryk Dolles is become suretie to entir Alexander Morray in Croy to onderly the law for the thifteous steling of certain blankattis and schettis pertaining to John Grant Burges of Inverness onder the pane of law.' (*Inverness Sheriff Ct. Bks.*, ii.) It may be assumed that he was engaged in agricultural pursuits from the fact that on 14th July 1561 Patryk Dolles protests against George Cuthbert for the highest price of twentybolls of victual he alleges he oweshim. (*Inverness Burgh Ct. Bks.*) On 20th December 1566, Alexander Dolles of Buidzet and Patrick Dolles in Croy served on the jury for the retour of David Ros of Holme (*Inverness Sheriff Ct. Rec.*, i.), but he appears shortly afterwards to have become possessed of the feu of Durris obtained by his father in 15 , and when on 21st June 1568 sasine of these lands was given to Robert Dunbar and William Fraser, Patre Dolles protested that this should not be prejudicial to the feu he has of the same. (*Prot. Bk.*, W. Cuming, xxv. fol. 99.) What his claim may have been to the lands of Galcantray it is now impossible to say, but evidently he had by some means acquired the wadset upon them, for on 15th April 1569 Alexander Dolles of Budeth makes requisition on Patre Dolles, son to the deceased Alexander Dolles of Cantray, who was personally present, to appear in the parish kirk of Croy on , for receiving the sum to be consigned for redemption of the lands of Galcantry and mill thereof wadset by him to them, when Patre denied that he was under any such reversion. (*Prot. Bk.*, W. Cuming, xxv. fol. 115.) On 6th October 1573, when he is for the first time styled 'of Duiris,' he served upon the jury for the retour of Alexander Dolles of Budzet, and later there are some records concerning his possession of Durris. The first of these is on 26th September 1574: That day Patre Dolles, Robert Dunbar of Durris, and David Dunbar of Durris his superiors to receive and admit him as tenant to the lands of Durris. They replied that they

would do so if he found caution for the bygone feus and the duplication thereof, and instruments were thereupon taken by both. Among the witnesses were Hugh Rose of Kilravock, Alexander Dolles of Buddethe, and Alexander Dolles in Durris. (*Prot. Bk.*, W. Cuming, xxxii. fol. 61.) On the same date Patrick Dolles of Durris and Alexander Dolles of Durris, doubtless the 'apparent heir,' were witnesses to a warning given by Alexander Dolles of Buddeth to William Tulloch with reference to the redemption of Dolleschelle. (*Ibid.*) Evidently the feu duties of Durris remained unpaid, for two years later, on 21st November 1576, there is a decree before 'the fifteen' in favour of the Dunbars: In the action by Robert Dunbar of Durris, liferenter, and David Dunbar, feuar, of the lands after specified, against Patrick Doles, son and heir of the deceased Alexander Doles in Cantray, 'lawfullie gotten betwix him and Isobell Leslie his spouse,' and pretended heritable feuar of the lands underwritten, at least lawfully charged to enter thereto as heir to his said deceased father, for production of a pretended infeftment of feu farm made by the said Robert Dunbar, liferenter, to the said deceased Alexander Doles and Elizabeth [*sic*] Leslie, his spouse, the survivor of them and their heirs, whom failing, the heirs whomsoever of the said Alexander, of the lands of the barony of Durris in the shire of Inverness, to be held for yearly payment of the following duties, viz.: For the kirktown of Durris called Lapannen with the brewland and croft thereof twenty-eight bolls beir with a peck to every boll, and 16s. money for the said brewland and croft; for the lands of Ballecharnache sixteen bolls; for the lands of Leracherachin 26s. 8d.; Dalnaghie £4; Drumdurris £6; for the mill of Durris and millcroft £6, 13s. 4d.; Bowblair, principal lands and croft £11, 10s. and six kids; and for the lands of half Holme and fishings on the water of Ness £8, 13s. with 26s. 8d. of augmentation; in all forty-four bolls of beir and £40, 6s. 8d. in money, with duplication on the entry of heirs, etc. Failure

of two terms payment running into the third constituted an irritancy. Owing to non-compearance for the defence, the Lords decern in favour of Dunbar and declare the infestment of Doles to be revoked and null.

The same day Mr. David MacGill, procurator for the said Patrick Doles, compeared and asked instruments that he was repelled as procurator for the said Patrick to defend in the said cause, because Mr. John Sharp, procurator for Dunbar, produced letters of four forms purchased by Robert Dunbar and Christian Leirmont, his spouse, charging the said Patrick Doles to pay to them the teind sheaves of certain of the lands in the parish of Durris for 1573 and 1574 only; and therefore he protested for remeid of law at time and place opportune and asked instruments. (*Acts and Decrees*, lxxv. 414.) There appears to be little doubt that the revocation of Dallas's infestment was operative, and that from this time he ceased to have any interest in the lands of Durris, nor does he appear again until in August 1592, when he (now described as 'in Durris') and John Dow M'Ane Vic Conel, also in Durris, with others to the number of 1200 broken Hielandmen, sorners and vagabonds in arms, came in battle array to the barony and lands of Dolles, burning the dwelling-house of Alexander Milnwart at the Mill of Dolles and other fifteen buildings there, killing John Clark in Torbone by striking him on the head with swords and shooting him through the body with arrows, dags, and pistolets, and stealing a great number of cattle and household goods and money. Though doubtless Dallas and his associates in this sanguinary raid were sufficiently lawless, the heirship out of the troubles then existing between the Marquess of Huntly and the Earl of Moray may be recalled to show that it was not merely a predatory excursion of Highland caterans. The result so far as Patrick Dallas was concerned was sufficiently serious, for on 27th February 1613-14 the Sheriff of Inverness had horning against him and his accomplices (*Mackintosh Mun.*,

65), and a draft gift of the escheat of Patrick Dolles in Durris who is at the horn at the instance of Alexander Milnwort in 1617, though not filled in to any person or signed, is sufficient to prove that this escapade had struck the final blow at his prosperity. (*Ibid.*, 71.) The date of his death is unknown, nor has the name of his wife transpired, but he had one son, Alexander, who may be identified with Alexander Dollas who in the first half of the seventeenth century is concerned in certain fire-raising and feuds for which his master, the laird of Cantray, became responsible.

The present appears to be the appropriate place in which to introduce some account of a tragic event, of which, however, the details are singularly meagre. It has been stated by local historians, with more or less circumstance, that the barony of Rothiemurchus was forfeited by the Mackintoshes as the result of a heinous crime committed by Allan Keir Mackintosh, the last baron of Rothiemurchus of that family. That such was not the fact appears to be sufficiently obvious from the charters and documents already cited, but the statement is doubtless based upon an account of the Mackintosh family, supposed to have been written by the Rev. Lachlan Shaw in the year 1758, and based upon an early manuscript of 1665, which we have not been able to trace. In this manuscript it is asserted that: 'In this gentleman's [Allan Shaw's] time, in the end of the sixteenth century, the Shaws lost the lands of Rothiemurchus in the following manner: Allan, a bachelor, lived at Balnespick, a part of his estate. His mother [according to the history, a Campbell] (who to her second husband married Dallas of Cantray in Strathnairn) lived in the Doune of Rothiemurchus. The young gentleman desired that his mother and stepfather should resign in his favour the Doune, which was then the seat of the family, but Cantray would not agree to it. This discord, aggravated by other circumstances, was barbarously resented by Allan;



for chancing to meet Cantray on the public road south of the Doune, he assaulted and murdered him in a hollow called to this day *Lag-an-Dalasich*. For this heinous crime, aggravated by this connection with Dallas, Allan was prosecuted and outlawed.' (MS. quoted in W. G. Shaw's *Memor. of Shaws* (1871).) The account goes on to relate that John Grant of Frewquhy purchased Allan's forfeiture, and afterwards exchanged Rothiemurchus with his uncle, Patrick Grant, for those of Muckerach. It is further said that the latter could obtain no peaceable possession of his new acquisition until at length Mackintosh of Strone, Allan's confidant, betrayed him into the hands of a party of Grants, who conveyed him to Castle Grant, 'where he was civilly entertained,' and the next morning was found dead in a chair in his room, after which, says the history, 'Patrick of Muckerach had peaceable access to the lands and Allan's brother and associates exiled into the Western Isles and Ireland. . . . This traditional account I have from men of probity whose fathers lived in the times of these transactions.' (*Ibid.*)

This story appears to have been considerably embellished in local tradition, and the murdered man is promoted to the rank of Sir John Dallas. There was, it is said, bad blood between stepfather and stepson, his mother's marriage having been highly displeasing to the young Rothiemurchus. One afternoon, as Allan was walking along the road, his dog, seeing Dallas enter the smithy, followed, and was kicked out by him. Allan drew his sword, entered the smithy, cut off Dallas's head, and returning to the Doune, threw it down at his mother's feet. The room she was sitting in is still pointed out. The scene of the murder was a spot now included in the garden, and every August the scent of blood is said to rise there in memory of the deed committed in that month. (*Memoirs of Highland Lady* (Mrs. Eliz. Grant), by Lady Strachey, 481.)

While it is impossible to reject this narrative as wholly apocryphal, it is equally impossible to bring it into accord with

known facts. It seems quite impossible that any laird of Cantray can have espoused the widow of John Mackintosh of Rothiemurchus, who was the maternal uncle of Alexander Dallas of Cantray, nor could his sons Henry, John, or William have contracted such a marriage, as the names of their wives have been transmitted, and amongst them no Campbell is to be found. If, however, any reliance is to be placed upon the tradition recorded by Lady Strachey, it may be possible to identify the victim of the murder with John Dallas of Croy, the third son of Henry Dallas, the apparent of Cantray, who died in 1561. It is true that there is some presumption that he was married to Janet Rose, but this is by no means certain, and the alternative suggestion would satisfactorily account for the traditional belief that 'Dallas of Cantray' was the victim of his stepson's wrath. The story of the forfeiture of Allan Mackintosh as a consequence of the crime rests, of course, upon no solid foundation of fact, and in face of documentary evidence to the contrary must be regarded as wholly inadmissible. And here it must be left, shorn indeed of much of its personal interest, but yet conveying a vivid picture of the risks and hazards of life in the Highlands even so late as the reign of King James VI.

## ALEXANDER DALLAS II. OF CANTRAY

ALEXANDER DALLAS OF CANTRAY, son of Henry Dallas of Balfriesh, son and apparent heir of Alexander Dallas of Cantray, appears to have succeeded his grandfather in all his lands during the closing period of the year 1563-4, but no contemporary mention of him as 'laird' has come to light. After his father's death his grandfather proceeded to put him in possession of the fee of his estates, as is indicated by the record of a series of sasines to that effect.

On 10th July 1563, William Dolles, in Ballafreis, as bailie in a precept under the subscription of the Honourable Mr. Alexander Dolles of Kantray (*per notarium*), went to the lands of the barony of Kantray with the fortalice, garden, and mill, and at the principal place of habitation of the said barony gave sasine to Alexander Dolles of Ballafreis, his grandson (*nepot*), who was present and accepted under reservation of the liferent of Marjorie Dunbar of Ballewet.

The same day the same bailie also gave sasine to the said Alexander Dolles in the lands of Croy in the barony of Ardcloch. (*Prot. Bk.*, W. Douglas, xvii. fol. 40.).

There is a further record of these transactions in somewhat different terms, and giving some further information: '10th July 1563. William Dolles in Ballafries as bailie gives sasine to Alexander Dolles grandson (*nepot*) of Alexander Dolles of Cantray on a charter by the latter of the lands of Cantray to be held as in a charter which the granter has of the late John Campbell of Calder reserving the liferent of Marjorie Dunbar, widow of John Ros of Ballewe; and the same day there is a precept by Alexander Dolles for infefting his grandson

in Croy, both dated at Balevat 10th July 1563'; and there is also a precept to the same effect with respect to the lands of Durris dated as above. (*Prot. Bk.*, W. Douglas, xvii. fol. 43-4.)

The sasine of the lands of Croy is in the following terms:—

‘In Dei nomine Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnationis Dominice Millesimo quingentesimo sexagesimo tertio mensis vero Junii die decimo indictione sexta pontificatus sanctissimi in Christo patris et domini nostri domini Pii papae quarto anno tertio In mei notarii publici et testium subscriptorum presentiis personaliter constitutus honestus et discretus vir Alexander Dolles de Cantray habens et tenens suis in manibus quandam cartam alienationis preceptum sasine in se continentem dicti Alexandri Dolles de Cantray dicto Alexandro suo nepoti factam et concessam sigillo et subscriptione manuali dicti Alexandri Dolles de Cantray vendentis manu sua per notarium publicum subscriptum ad calamum ducta pro sasina statu et possessione sibi Alexandro Dolles nepoti suis heredibus et assignatis danda et conferenda de totis et integris terris ville ecclesiastice de Croy cum pendiculis et pertinentiis suis universis jacentibus infra baroniam de Ardclayth vicecomitatum de Innernes et regalitatem de Spynie honesto et [provido] viro Willelmo Dolles in Ballafreis ballivo in hac parte specialiter constituto pro sasina et possessione sibi dicto Alexandro nepoti conferenda de dictis terris ecclesiasticis tenendis de reverendo in Christo patris Patricio Episcopo Moraviensi et suis successoribus per que se ratificatam directum in medium produxit cum quaquidem carta preceptum sasine in se continenti idem Alexander nepos antedictus accessit ad personalem presentiam dicti Willelmi Dolles ballivi ad infrascripta legitime constituti eundemque requirendo reverentia qua decuit quatenus sibi Alexandro Dolles nepoti antedicto statum sasinam heredita-





*J. D. Yeadon, Photographer, Elgin.*

DALLAS LODGE



*J. D. Yeadon, Photographer, Elgin.*

DALLAS BRIDGE AND VILLAGE

tiam realem actualem et corporalem possessionem totarum et integrarum terrarum ville ecclesiastice de Croy cum pendiculis et pertinentiis universis sicut premittitur jacentium conferre vellet. Quinquidem ballivus antedictus attendens huiusmodi requisitionem justam fore et rationi consonam [predictam] cartam preceptum sasine in se continentem ad manus recepitet mihi notario publico infrascripto perlegendum et in Scotica lingua interpretandum tradidit cuiusquidem precepti fini dicte carte adjecti tenor sequitur—Alexander Dolles de Cantray dilectis meis Willelmo Dolles in Ballafreis—ballivis meis in hac parte conjunctim et divisim [specialiter] constitutis salutem Quia alias vendidi alienavi et per cartam alienationis et venditionis a me heredibus meis et meis assignatis confirmavi predilecto meo Alexandro Dolles meo nepoti heredibus suis et assignatis quibuscunque totas et integras terras meas ville ecclesiastice de Croy cum pendiculis et pertinentiis suis universis [jacentes] infra baroniam de Ardclauch vicecomitatum de Innernes et regalitatem de Spynie de reverendo in Christo padre Patricio Moraviense Episcopo Monasteriique de Scone Commendatario perpetuo et suis successoribus Moraviensibus episcopis tanquam dominis Superioribus illarum in feodofirma seu empheteosi hereditarie tenendas prout in carta mea quam de dicto reverendo patre inde habeo plenius continetur Vobis igitur conjunctim et divisim et vestrum cuilibet ballivis meis in hac parte [antedicto] precipio et firmiter mando quatenus visis presentibus statim et indilate accedatis seu alter vestrum accedat ad totas et integras terras meas ville ecclesiastice de Croy cum pendiculis et pertinentiis suis ut premittitur jacentes et ibidem super solo earundem statum sasinam hereditariam realem actualem et corporalem possessionem huiusmodi terrarum ville ecclesiastice de Croy cum suis pertinentiis et pendiculis universis cum domibus edificiis tenentibus tenendriis et tenentium servitiis prefato Alexandro Dolles meo nepoti vel suo certo actornato aut procuratori legitime constituto

latori presentium per terre et lapidis traditionem ut moris est tradatis et deliberetis seu alter vestrum tradat et deliberet et hos nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim meis in hac parte ballivis antedictis meam plenariam et irrevocabilem tenore presentium committo potestam. In cuius rei testimonium sigillum nostrum proprium vnacum mea subscriptione ad calamum (per notarium) publicum ducta de me mandato . . . precepti est appensum. Apud Ballewaite secundo die mensis Julii anno Domini millesimo quingentesimo sexagesimo tertio (?) coram Johanne Ross de Balevat Hugone Ros in Logye ejus germano Johanne Glas ministerio de Dalcorse Willelmo Brabner alias M'Huchone in Brokingellie cum diversis aliis. Sic subscribitur Alexander Dolles of Cantray w<sup>t</sup> my hand led at the pen be William Douglas notar public at my command requirit heirto. Ita est Willelmus Douglas notarius in premissis rogatus manu propria Post cuiusquidem precepti sasine lecturam interpretationem et expositionem idem ballivus (officii virtute) cum me notario publico et testibus infrascriptis accessit ad huiusmodi terras ville ecclesiastice de Croy cum partibus pendiculis et pertinentiis suis universis et ibidem super solo earundem prefato Alexandro Dolles nepoti antedicto statum sasinam hereditariam pariterque et possessionem realem actualem et corporalem huiusmodi terrarum ville ecclesiastice de Croy cum pertinentiis sic ut premittitur jacentium per terre et lapidis traditionem ut moris est tradidit et deliberavit ac eundem Alexandrum in realem actualem et corporalem possessionem induxit instituit nemine opponente aut contradicente in pace dimisit Super quibus omnibus et singulis memoratus Alexander Dolles nepos antedictus a me notario publico subscripto sibi unum vel plura publicum instrumentum seu instrumenta fieri petiit. Acta erant hec super solo dictarum terrarum hora quarta post meridiem aut eocirca sub anno die mense et indictione quibus supra presentibus ibidem Thoma M'Innes



Alexandro Makintagert Alexandro Makmerten habitantibus apud Croy cum diversis aliis.

‘Et ego vero Wilhelmus Douglas Clericus Sancti Andrea dioceseos apostolice auctoritate notarius publicus ac per Dominos Consilii vigore Acti Parlamenti de novo admissus quia prefatarum terrarum sasina, etc.’ (*Cantray Chart.*)

Alexander Dallas married Janet, daughter of John Rose of Ballivat, and died before 1st March 1564-5, when his brother Henry, as heir-male, had a precept of sasine from the Bishop of Moray of the church lands of Croy. He left an only daughter, Marjory Dallas, who succeeded to her great-grandfather's rights in Cantray and other lands.

About this period we find the following entries in Dr. Cramond's *Records of Elgin* (New Spalding Club): ‘20th Novr. 1581.—William Chalmers decerned to pay William Dollas the damage and skaith he has sustained through the insufficiency of “ane half pund bowkaill seid.” Janet Douglas, spouse to Thomas Dallas, is sued for Slandering David Torre, Magistrate, on 17 July 1594. Isabel Dollas is brought before the Kirk Session on 23 September 1604 for “byding at hame.”’

## MARJORY DALLAS OF CANTRAY

THE death of the old laird of Cantray, preceded as it was by that of his eldest son, and followed after the briefest interval by that of his grandson and heir, appears to have brought the affairs of the family into a condition of hopeless disorder. As has been seen, the lands of Croy were seized upon by the male heirs, and by them irredeemably alienated, while the hold over Rothiemurchus, never very secure, was entirely lost. The lands of the two Lairks passed in some mysterious way into the hands of the Roses, and from them to the Mackintoshes, while those of Loppen Durris passed to Patrick Dallas, and the infant heiress appears to have been bereft of all the wide acres which had owned the sway of her great-grandfather, save the ancient patrimonial lands of Cantraylies and Cantrayfries. As far as can be judged, her uncle, Henry Dallas of Croy, was not inimical to her interests, though as heir-male he did not scruple to appropriate the ecclesiastical lands of Croy, while her grand-uncle, John Dallas in Cantray, appears to have interested himself in his niece's affairs, though his goodwill did not prevent him from making good his claims to the lands of Drumoir and the Mill of Cantray.

Marjory Dallas, who succeeded her father, Alexander Dallas, in the Cantray lands, was born some time in the year 1564, and upon her father's death became the ward of Hugh Rose of Kilravock. Her first appearance in the records is as a child of four years, when a dispute arose as to the custody of her person during her infancy. The decreet of the Lords was given on 15th December 1569 in the following terms:—

‘Anent our Souerane Lordis letteris purchast at the

instance of Jonet Rose moder of Marjorie Doless dochter and appeirand air to umquhill Allaster Doless of Cantray and Marjorie Dunbar, his guid dame, agains Hucheoun Rose of Kilrawok makand mentioun that quhair the said Hucheoun alledged him to be Tutour Dative to the said Marjorie Doless dochter and appeirand air foirsaid and haveand gift of the ward and mariage of the said Marjorie obtenit ane decreit of the Lordis of Counsell for null defense againis the said compleneris and Henry Doless fader brotheir to the said Marjorie with letteris thairupoun in all the four formes chairgeing thame to exhibit and produce befor the said Lordis the said Marjorie Doless being ane infant of thrie or four yearis of aige or thairby as the said decreit bearis to the effect that scho may be decernit to be put in suir keiping gyding and governing of sic qualifeit and unsuspect personis as the saidis Lordis sall appoynt thairto within certane space under diverse pains and last under pain of rebelloun and failyeing thair of to put the saidis compleneris to the horn,—quha intendis to put thame thairto wranguslie without thay exhibeit the said pupill quhilk thay cane nocht nor may nocht do without greit dangeir of her lyffe be ressoun that the said Marjorie is ane infant in witht four yearis auld, seiklie and werry tender quhilk cane nocht be twisit nor cargit sa attentiklie sa far distand fra the burcht of Edinburcht be the space of sevin scoir mylis or thairby without greit dangeir of hir lyffe be resoun foirsaid and als in respect that the said Jonet is hir motheir and the said Marjorie is bat thrie or four yearis auld as it grantit in the said decreit scho thairfoir aucht and suld have the rewling gyding keiping and governing of hir body quhill scho be of sevin yearis of aige compleit or thairby conforme to the lawis and practik of this realme; and in the meantyme the said Jonnett hes fundin cautioun for hir keiping gyding and upbringing of the said Marjorie quhill scho be of sevin yearis aige compleit or thairby gyff scho be nocht preventit be deid in the meantyme and als that the

said Jonnet sall at the said Marjories aige of sevin yearis being compleit exhibeit and produce hir befor the saidis Lordis to the effect that scho may be gevin in keiping thairefter to sic personis as the saidis Lordis sall think expedyent conform to the tennour of the said decreit in respect of the quhilk the saidis letteris in four formes and horneing contenit thairintill aucht and suld be suspendit *simpliciter* upon the saidis compleneris and the said Henry Doless in tyme cuming for the causis foirsaidis.'

Charge having been given to the said Hucheoun Rose of Kilrawok, and he compearing by Mr. John Sharp and Henrie Kinross, his procurators, and the said Jonet Rose and Marion Dunbar compearing by Mr. Thomas M'Calzean and Alexander Sym, their procurators, and parties being heard, the Lords find the said letters orderly proceeded and ordain that they be put to further execution notwithstanding the reasons and causes above alleged. (*Acts and Decrees*, xlv. fol. 76.)

In other words, the Lords decreed that the infant Marjory should remain in the custody of her mother and grandmother until attaining the age of seven years.

There are naturally but few notices of the youthful heiress during her long minority, but possibly some scheme for the consolidation of her property may have led to the following transaction: on 15th February 1575-6 it is recorded that John Dolles, son natural to Hendre Dolles, has interdicted himself and granted that for good and reasonable considerations he will not sell or alienate his heritage or goods but by the advice and consent of John Dolles in Cantray and William Dolles his brother, and this was done in the Tolbooth of Inverness. (*Prot. Bk.*, W. Cuming, xxxii. fol. 139.)

In or before the year 1580, Hugh Rose of Kilravock transferred his right to the ward and marriage of the heiress to his son, as appears by the following writ:—

'I William Ros apperand of Kilrawok bindis and oblissis me my airis and assignais to releif and keip skeithles ane

rycht honorabill man Houchone Ros of Kilrauok at the handis of the auctorite touiching and conserning his promes maid the tyme of his obteneing of the ward and marriage and nonentrie of Mariorie Dolles oye and apperand air of wmqhill Allex<sup>r</sup>. Dolles of Cantray touartis the thankill handling of hir and dispositione of hir to a perte agreabill to hir esteit for the weill of hir and hir heritage at quhatsumeuir handis heifand or pretendand or may heif or pretend entres or actiowne theirto according to the lawis of the realme and wse and practik obseruit and keptit in sic caisis. Be thir presentis subseryvit with my hand at Kilraok the xxiiij day of December the yeir of God j<sup>m</sup> v<sup>c</sup> and four scoin yeiris. WM. Ross.'  
(*Kilr.*, 272.)

Whether the marriage of Marjory Dallas with her cousin Alexander Dallas was contemplated at this time is not certain, but it was at all events arranged shortly afterwards, and on 28th January 1582-3 there was registered a contract, dated at Aberdeen, Croy, and Inverness, 19th July and 8th and 12th August 1582, between William Ross, apparent of Kilravock, as assignee to the marriage aftermentioned, on the one part, and John Doless in Cantray, Alexander Doless, his son and apparent heir, and Marjorie Doless, pronepta and apparent heir to the deceased Alexander Doless of Cantray, with consent of Patrick Rose, son and apparent heir of John Rose, Provost of Nairn, and William Doless in Cantray Freische, her curators, for their interest, on the other part; whereby the said William Rose, as donator of the marriage of the said Marjorie Doless, with her consent, and also at her desire and that of her curators for the preservation of her lands and heritage (to which she is to succeed as heir to the said deceased Alexander Doless), to the surname of Doless, dispones and transfers to the said John Doless and his heirs and assignees the said marriage of the said Marjorie Doless to the special end that she may marry one of the sons of the

said John Doless, and so her lands be preserved in the name of Doless ; and failing of the said Marjorie, the marriage of any other heir to the said heritage. He is also for further security to deliver up the principal gift of the marriage made by the Queen to Hew Rose, father of the said William, together with an authentic extract of the disposition thereof by the said Hew to him ; and he will also place in his hands the said Marjorie herself (who for the present is in the keeping of the said William), so that the said John may dispose of her in marriage to one of his sons or otherwise as he shall think expedient. Further, he is to deliver up to him all charters and writs which belonged to the said deceased Alexander Doless of Cantray, of the lands and mill of Largis and lands of Cantray, in the barony of Stranerne, according as he or his said father received them by inventory from the good wife of Ballvell, to be kept and made furthcoming to the behoof of the said Marjorie or next heir of the said deceased Alexander Doless of Cantray ; and he is to infest the said John Doless and his foresaids in these lands ; and all before 10th November next. For the which the said John Doless and his foresaid son and apparent heir are to pay to the said William Ross 3200 merks, of which 1400 are to be paid before 14th August next, and if this be bond, he is to take bond for the other 1800 merks, in which Alexander Doless of Budzet, John Ross in Cantradoun, and William Dolace in Cantray freische are to be cautioners. Further, the said John and Alexander Doless are to renounce in favour of the said William Ross the acres, roods of land, and tenements in Nairn, and give over the writs thereof before 10th August next. Moreover, as it is on account of his goodwill to the said Marjorie that the said William has at her earnest desire entered into this transaction, and has disposed her marriage on easier terms than otherwise he might have done, he stipulates that neither she nor they will ever alienate the said lands of Lergs or Cantray without the special consent of him or his successors, barons of Kilravock, bearing

the arms and surname of Ross ; and if they do that the same shall be null. Further, the said William promises that upon their making payment to him in one sum of 600 merks, or to his heirs, they will renounce all rights they have in and to the said lands of Lerigs, with all bygones. The contract is signed by the said Marjorie Doless and William Doless in Cantray freische, John Doless in Cantray, Alexander Doless, his son and apparent heir, Alexander Doless of Boydzett, and John Rose in Cantraydown, all by the aid of notaries, as they are unable to write. (*Reg. Deeds*, xx.<sup>2</sup> fol. 344.)

Meanwhile, Alexander Dallas, Marjory's future spouse, appears to have been setting his affairs in order. On 2nd October 1582 Alexander Dolles of Buddet, John Dolles in Cantray, and others were on an inquest at Inverness for the retour of John Grant of Corremonie and other retours of that date, and also for the service of Alexander Dolles, when the jury say that the late John Rose, burgess of Nairn, great-grandfather of Alexander Dolles, bearer of these presents, died last vest and seized at the peace and faith of the mother of our supreme lady, the Queen of Scots, for the time of all and haill the lands of Cantray Fryser, lying in the barony of Strathmarne and sherifffdom of Inverness, and that the said Alexander Dolles is lawful and nearest heir of the said John Ross, burgess of Nairn, his great-grandfather, and is of lawful age, and the said lands were held in chief of the late Alexander Dolles of Kantrey and his heirs for payment of one rose in summer in name of blench, and that these lands have now been in the hands of the said Alexander Dolles of Kantrey and his heirs for thirty-nine years or thereby through the death of the said John Ross who died in July 1543. (*Inverness Sheriff Ct. Rec.*, i.)

Shortly afterwards Marjory was served heir to her great-grandfather. On 20th December 1582 Marjorie Dolles, with consent of Patric Ross, son and apparent heir of John Ross, Provost of Nairne, and William Dolles in Cantray Fryser,

his curators, constitutes William Cuthbert, burgess of Inverness, her procurator for serving her conform to her petition and *promisit de rato*.

Alexander Dolles of Buddett was one of those on the assize that day for serving her, and the jury say that the deceased Alexander Dolles of Kantray, great-grandfather of Marjorie Dolles, bearer of these presents, died at the peace and faith of the mother of our supreme lady, Mary Queen of Scots, that she is his lawful and nearest heir, and is of lawful age. (*Ibid.*)

Some three years later, on 23rd March 1585-6, Marjorie Dolles, *pronepotis* of the deceased Alexander Dolles of Cantrey, had sasine of the lands of Cantralyse, Cantrafreis, and Drumoyr on a precept by John Campbell of Calder directed to Henry Dolles and stating that Alexander Dolles, great-grandfather of the said Marjorie Dolles, died last vest in the lands of Cantrales, Cantrafreskyne, and Dolles, in the lordship of Strathnairn, which lands are held of the grantor as superior, and she is lawful heir of the said Alexander Dolles, her great-grandfather, and is of lawful age. The precept is dated at Inverness, 22nd March 1585-6, one of the witnesses being William Dolles, apparent of Buddet, witnesses to the sasine being John Dolles in Cantra and William Dolles. John Dolles protested that this should not hurt his right of the mill of Cantra. (*Prot. Bk.*, W. Cuming, xxxix. fol. 110.)

It is probable that the marriage of Marjory and Alexander Dallas took place about this time, and in the document next to be noted the marriage is for the first time definitely recorded. This is a disposition by way of contract, dated at Inverness, 1st June 1586, whereby William Rose, apparent of Kilrack, disposes for 2900 merks to Lachlan M'Intoschie of Dunnachtan the lands and mill of Lairgis, in the barony of Calder and shire of Inverness, to be held by him of the Crown in ward and relief. It is agreed that if M'Intosh shall happen to be evicted from these lands by the former heretrix thereof, Marjory



Dallas and Alexander Dallas, her spouse, or by any other person, the 2900 merks shall be repaid ; but he is not to accept any title of these lands from them without the consent of William Ross, but is to support him in his title against the claims of Marjory Dallas ; witnesses David Ross of the Holme, John Ross, burgess of Inverness, William M'Queen, Subdean of Ross, and others. (*Mackintosh Munim.*, 42.) On the same date William Rose had granted a charter to Lachlan Mackintosh of the lands of Lairgs with the mill thereof and other pertinents, but there is no explanation of the manner in which this property passed from the possession of the young heiress to William Rose, though the first document cited suggests that the transfer was not effected without guile.

Though Drumoir was included amongst those lands of which sasine was given to Marjory Dallas in 1585-6, that part of the family property appears still to have remained in the virtual possession of William Dallas in Cantrayfries, who obtained it from his brother John, but on 13th February 1587 Alexander Dallas, now, in consequence of his marriage, laird of Cantray, warned William Dallas to the first of April next for the redemption of the lands of Drumoyr (*Prot. Bk.*, xxxix. fol. 116), and from this time the property remained a part of the Cantray estate.

After the lapse of some thirty years, there is a recrudescence of the claim of Ellen Rose, widow of Henry Dallas, apparent of Cantray, to the profits of the mill of Cantray, for on 5th July 1591 an action is pursued by John Rose, indweller in Edinburgh, alleged assignee constituted by Helen Ross, relict of the deceased John Mackintosh, and John Stuart, Baron of Kincarne, now her spouse, in and to the byrun maills, farms, profits, and duties of the half miln and miln lands of Cantray, lying in the barony of Cantray and sherifffdom of Inverness, of all years and terms since the date of the said Helen's infettment and sasine, which was 26th April 1558,

against John Campbell, Marjory Doles of Cantray, and Alexander Doles, her spouse, tenants to the said John Campbell, of the said mill and lands, to make payment to the said pursuer for the maills, farms, multures, profits, and duties of the said mill and lands for the space of thirty-three years by past. (*Acts and Decr. Ct. of Sess.*, cxxxii.) The case had been formerly before George, Earl of Huntly, and was now continued to the 1st August. The result of the action has not been found.

In the following year occurs a disposition by John, Earl of Mar, donator of the ward of Calder through the death of John Campbell of Calder, for twenty pound, to Alexander Dolass of Chantray and Mairiorie Dolass, his spouse, of the ward and non-entry duties of the lands of Chantrayleis, Chantrayfreis, and Drummorie. One of the witnesses to this disposition, which is dated at Edinburgh, 22nd June 1592, is William Dollace, apparent of Budzet. (*Cantray Chart.*)

About this time a violent quarrel appears to have occurred between the Dallases and the Roses of Holme. The cause of this is not even remotely indicated by the records, but there is registered a bond of caution by Hucheoun Ros of Kilraak and William Ros, his son and apparent heir, for David Ros of Holme in £1000, and by the said David for Johnne M'Allaster and James Rossis, his brothers, in 500 merks each, not to harm Alexander Dollas of Cantra. Subscribed at the Channonrie of Ros, 8th April 1593, before Williame Thomesoun burgess of Rosmarky, Andro Gray in Kilraak, Andro Ferquharsoun in the Kirketoun of Auchtirseir, David Ros, servitor to the said David Ros of Holme, and Adam Dunbar, notary public and commissary clerk of Ros, the last subscribing for David Ros of Holme, Johnne M'Alexander, and James Rossis. (*Reg. Privy Counc.*, v. 586.)

This was followed by a bond of caution by William Doles, apparent of Budyett, for Alexander Dolles of Cantra, in £1000, and for Johnne Doles, his brother, and Johnne M'Arpitar

Doles, his servant, in 500 merks each, not to harm David Ros of Holme, or Johnne and James Rossis, his brothers, as by King's letters under the Signet at Edinburgh, 16th April last, charging the said principals for molesting the said David and his brothers in their possession of the lands of Holme, Drummurye, Iwen, and Altinhous, 'be halding and pasturing of thair bestiall and guidis upon the saidis landis, bigging of symmer sheillis thairupoun and be demolising and casting down of the said David, Johnne, and James Rosis awise houssis and sheillis. Subscribed at Elgin, 1st May 1593, before Johnne Annand of Murrestoun, Mr. Thomas Annand, his son, Mr. Williame Clerk, master of the school of Elgin, George Annand, son of the said Johnne,—Johnne Annand, younger, notary public, subscribing for the said William Doles and Alexander Doles.' (*Reg. Privy Counc.*, v. 588.) These quarrels may have had some reference to the claim of Elspet Rose, widow of Henry Dallas of Croy, to the teind sheaves of Croy, for on 18th August 1599 there was horning at the instance of David Rose of Holme against Elspet Rose, relict of William M'Queen of Carrebroche, and James Innes of Reidfurd, now her spouse, for his interest, and Henry Dollas in Ballefruss, narrating that the complainer has all the teind sheaves of the lands of Croy belonging to the said Elspet in liferent, and all the teind sheaves of the lands of Cantra belonging to the said [*sic*] Marjorie Dollas, with the teind sheaves of the lands of Ballefrusche, having the tack thereof, and for spoliation has put the said defenders to the horn under the process whereof they remain manifesting a 'constant ewill vill and injurie' against him, and threatening and troubling him and his servants. Wherefore charge is hereby given to them to find caution not to do this under pain of horn-ing. In the execution the complainer says he dreads harm of these persons and of Marjorie Dollas of Cantra and Alexander Dollas, her spouse. (*Inverness Part. Reg. Horn., etc.*, i.-ii.)

In 1597 there is a general retour of service of Marjory

Dallas as heir of her father, Alexander Dallas of Cantray, in the following terms :—

‘Hec Inquisitio facta fuit apud burgum de Innernes in pretoris ejusdem coram honorabili viro Johanne Karr burgense de Innernes vicecomite deputatio vicecomitatus de Innernes honorabilis viri Johannis Gordowne de Pitlurge, militis, vicecomitis principalis vicecomitatus de Innernes vigore commissionis nobilis et potentis domini Ludovici Ducis de Levinax Domini Torbouttowne, Methven et Obbaine vicecomes [*sic*] principalis vicecomitatus de Innernes per commissionem supremi nostri regis vigesimo tertio die mensis Junii anno Domini Millesimo quingentesimo nonagesimo septimo per hos probos et fideles homines subscriptos, viz. : Hectorem Monro de Fowillis Hugonem Monro de Assin Gilbertum Gray de Sordell Hugonem Monro de Urquhate Alexandrum Bane feoditarium de Logy Hugonem Ross apparentem de Tolle Valterum Ross de Prisehall Angusium Makculloch de Craighous Jacobum Innes apparentem de Innerbraikkie Jacobum Corbat portionarium de Airkboll Kyntigornum Gollan burgensem de Rosmarkie William Thomesone in canoniam Rossense Johannem Monro de Pitconachtie Georgium Monro de Knokochoirle Farquhardum Monro portionarium de Kyleis Alexandrum Cuithbert burgensem de Innernes Vilhelmum Cuithbert burgensem ibidem QUI jurati dicunt quod quondam Alexander Dolles de Cantray pater Marjorie Dolles latoris presentium obbiit ad pacem et fidem supremi domini nostri regis et quod dicta Marjoria Dolles est filia legitima et propinquior heres prefati quondam Alexandri patris sui et quod est legitime etatis. Datum et clausum unacum breve regio huic Inquisitioni introcluso sub sigillo officii vicecomitis de Innernes et sigillis quorundam eorum qui dicti Inquisitioni interant anno die et loco predictis.

‘ITA est Jasperus Cuming Notarius Publicus ac scriba vicecomitatus de Innernes manu propria.’ (*Cantray Chart.*)

Two years later there is a precept of *clare constat* for infefting Marjory Dallas in the lands of Croy, though, as has been seen, these had long been in the hands of Rose of Holme :—

‘Alexander Dominus Spynie dominus superior terrarum subscriptarum dilectis meis Joanni Innes de Leuchhous Villilmo Cuthbert burgensi de Innernes et vestrum cuilibet conjunctim et divisim balivis meis in hac parte specialiter et irrevocabiliter constitutis Salutem Quia mihi Clare Constat et est notum per autentica documenta et instrumenta coram me producta visa et lecta quod quondam Alexander Doles de Cantray pater Marjoria Doles latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad fidem et pacem supremæ dominæ nostræ reginæ Mariæ Reginæ Scotorum de totis et integris terris villa ecclesiasticæ de Croy cum pendiculis et pertinentiis suis universis jacentibus infra baroniam de Ardclayth vicecomitatum de Innernes et regalitatem de Spynie ; et quod dicta Marjoria est legitima et propinquior heres dicta quondam Alexandri Doles sui patris de dictis terris ; et quod est legitime etatis ; et quod dicte terræ ville ecclesiasticæ predictæ cum sui pendiculis et pertinentiis prescriptis de me Domino Spynie et successoribus meis tenentur in capite tanquam dominis superioribus earundem pro annua solutione feudifirmarum aliorum que annorum redditum et ceteris in cartis et evidentiis suis inter Igitur vobis precipio et firmiter mando quatenus visis presentibus indilate statum sasinam necnon possessionem hereditarium realem actuaalem et corporalem totarum et integrarum dictarum terrarum ville ecclesiastice de Croye cum suis pendiculis et pertinentiis supra mentionatis memoratæ Marjoria Doles vel suo certo actornato vel procuratori eo nomine per terre et lapidis fundi ejusdem traditionem et deliberationem tradatis et deliberetis secundum presentis precepti tenorem suisque antiquis infeofamentis quæ inde habet ; et hoc nullo modo omitatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim meam ple-

nariam et irrevocabilem tenore presentium comitto potestatem Salvo tatem et reservato mihi et successoribus meis feudifirmis annuisque redditibus servitiis et ceteris aliis provisionibus conditionibus et clausulis in cartis et evidentiis intert—ratione non solutionis preteritorum Salvo jure cujuslibet ut moris est In cujus rei testimonium presentibus scriptis per Joannem Traill manu mea subscriptis, sigillum meum proprium est appensum Apud Leyis die ultimo mensis Augusti anno Domini millesimo sexcentesimo primo coram his testibus Domino Waltero Lyndesay de Davide Betoun de Spittelfields, Magistro Davide Rutherford de Muirhouse et Joanne Traill notario publico.

‘A. L. SPYNIE.

‘DAVID BETTONE testis.

MR. DAVID RUYFURD  
witness.

‘S. W. LYNDSEY of Balgany  
testis.

J. TRAILL testis N.P.’

In the years 1600-1601 Alexander Dallas was at feud with certain Dunbars, if not personally, at least through the actions of his ‘men and servants.’ Evidently after some previous litigation, the cases came before the Privy Council on 4th July 1605.

In the first case Robert Dunbar of Burgie complains that Arpitell Doles, Alexander Doles of Cantray’s man, Johnne Glas M’Coull in Little Camlethtoun, and several others, Coline Campbell of Boith’s men, with Hucheun Doles and Waltir Ros M’Hutcheoun, all armed with bows, darlochs, and two-handed swords, came in November 1600 to the pursuer’s town and lands of Burgie, and there committed crimes of fire-raising and spuilzie, and also slew Alexander Ainslie in Burgie and George Greve, his servants. The accused being ‘brokin and disordourit hieland men,’ pursuer can get no redress unless their said masters enter them before the Council, and charge had been given to the said persons, men and masters,



*J. D. Yeadon, Photographer, Elgin.*

KILRAVOCK CASTLE



*J. D. Yeadon, Photographer, Elgin.*

CAWDOR CHURCH





to answer under pain of 'rebellioun.' Here the narrative abruptly ends, there being a gap of three folios in the Register, but the decision of the Council is recorded: 'Alexander Doles of Cantray ordained to be denunciit for not presenting Arpitell Doles, his man, tennent, etc., quho [had] stolen goods fra Dunbar of Burgie.' (*Reg. Privy Counc.*, vii. p. 75-6.)

The second case affords so admirable an account of the lawless habits of the times, that we quote it in full.

'Anent our Sovereigne Lords letters raised at the instance of Mr. James Dunbar of Tarbet and James Dunbar of Pennyk, makand mention that quhair Hutcheon Doless and Henry Doless, men, tennents and servants to Alexander Doless of Cantray, with uthers thair complices, being all bodin in feir of weir, come upon the       day of October 1601 years to the lands of Meikle Pennyk pertaining to the said James Dunbar, and thifteously reft, staw and away-tuikie furth thair of 34 heid of kyne and oxen, worth       the peice, 12 horse and meirs worth       the peice, 60 heid of gait and sheep, . . . pertaining to the said James Dunbar, and being in his possessione for the tyme pasturand upon his saids lands, togidder with the haille insicht and plenishing of the said toun, estimat worth 500 merks. And siclyke, upon the penult day of September 1600 years, the saids persons forsaid came to the lands of Sanquharr pertaining to the said Mr. James Dunbar, and thair treasonable and awfully causit fyre, brunt and destroyit the tour and fortalice thair of, togidder with the haille insicht and plenishing being thairintill, estimat worth 2000 merks, slew 24 goates and reft staw and away-tuikie ane grite number of horse and other goods and gear pertaining to his tennents of the saids lands, estimat worth 1000 merks. And siclyke the saids persons, with uthers thair complices to the number of 300 persons, come upon the       day of Jully the year of God forsaid to the lands of Mundoill, pertaineing to the said Mr. James, and thair maisterfully reft and away-tuikie 400 sheep, 40 heid of kyne and oxen, pertaining to him

and his tennents of the said lands, togidder with the hail insicht and plenishing of the said toun and lands, estimate worth 500 merks, and schamfullie, cruellie and unmercifullie slew umquhile Thomas Allane, Robert Bell and John Kitchaine, his tennents and servands. And siclyke the persons forsaid come in the moneth of May, June and Jully, and upon divers days of the saids moneths, to the said Mr. James lands in the Bray of Murray, and thair treasonably causit fyre, brunt and destroyit his tour and fortalice of Dumphaill, togidder with the hail insicht and plenishing being thairintill, estimat worth 4000 merks, and maist shamfullie, cruellie and unmercifullie slew umquhill Thomas Smith *alias* Clerk, his tennent. As alswa, in the moneth of June the year of God forsaid, the saids persons come to the said Mr. James lands of Glenmoir and Phekirk and thair treasonably raisit fyre, brunt and destroyit the bigging and houssis thair of and insicht and plenishing being thairintill, estimat worth 400 merks, and reft and away tuke 8 heid of kyne and oxen, and 12 peice of horse and meirs, 40 gait and 100 sheip pertein- ing to the said Mr. James and his tennents, and being in thair possession for the tyme pasturand upon the ground of the saids lands, and maist schamfully, cruellie and unmercifully slew umquhile James Young, his tennent. And last, the saids persons come againe in the moneth of Jully 1601 years to the said Mr. James lands in the Bray of Murray, and thair reft and away tuike 40 heid of nolt, 100 sheip, 40 gait and 12 horse, and uthers pertein- ing to his tennents, and treasonable raised fyre, brunt and destroyit the said Mr. James tennents houssis of the saids lands, togidder with thair insicht and plenishing thairintill, pertaining to umquhill Robertson, his servant. Quhilks persons, committers of the particular reiffs and heirschips abonewritten, were broken highlandmen, unanswerable and obedient to justice, of quhom the saids complainers will get no redres or order of law unles thair master and landlord abonewrittine, wha, be the laws of this

realme, Acts of Parliament, and general band aucht and sould be answerable for thair entrie, present thaim personallie befor the Lords of Secret Councill, to the effect order may be tane with them as apperteins.' (*Reg. Privy Counc.*, vii. p. 76.)

The decision was of course inevitable: 'And anent the charge, etc., given to the said Alexander Doless of Cantray, Hutcheon and Henry Doless, his servants, to have presentit the persons forsaid, his men, tennents and servants, he failyieing so to doe, he and the said Hutcheon and Henry Doless are ordained to be denuncit.' (*Ibid.*, 78.)

In 1602 the Rothiemurchus exchange is again the subject of litigation, and on 20th September of that year there is horning at the instance of John Grant, now of Freuquhy, as heir of the deceased James Grant, of Freuquhy, his grandchir, narrating the contract of 23rd April 1545 already quoted. This contract and the decree thereupon was by decret of the Lords of Council on 21st June 1594 transferred to the complainer, John Grant, and to Marjory Dollas and Alexander Dollas of Cantray, her spouse, but they decline to fulfil the contract and several executions follow. (*Invern. Reg. Hornings, etc.*, i.)

Marjory Dallas was dead before 23rd July 1605, at which date her son William had already been served heir to her, but her husband survived her some years, as on 19th March 1613 there is a registration of horning by Donald M'Queyne, minister at Croy, narrating that on 5th January last Mr. James Bishop, minister at Inverness, and Andrew Balfour, minister at Ewane, as Commissioners of the Synodal Assembly of the Province of Moray, at the complainers' humble suit, with the express consent of the Elders of Croy, namely, David Ros of Holme, Alexander Dollas of Cantray and Hendrie Dollas of Ballafrische, designed a glebe and manse, namely, two acres of land, which the persons above written deponed on their consciences belonged to the parson and vicar formerly (the boundaries of the glebe being mentioned). This they did

with consent of Alexander Dolles of Cantray, heritable proprietor of the said town and lands, and yet he and the said David Ros, and Elizabeth Ros, liferenter of the said glebe, wilfully and violently detain the same from him, and they are hereby charged to remove, and for contempt are put to the horn. (*Partic. Reg. Hornings*, vol. iii.)

This is apparently the latest occurrence of the name of Alexander Dallas in the records, and he probably died before 3rd August 1613, when a commission was issued by the Privy Council to his son and successor, William Dallas of Cantray.

Of the children born to Marjory and Alexander Dallas only three sons can be definitely identified, William, the heir, Alexander, and George. Of the latter, it can only be ascertained that he was witness of the execution of horning against his brother, Alexander Dollas in Galcantray, 23rd July 1627, and before 21st August 1628 was concerned with William Dollas of Cantray in oppressing the tenants of Lord Fraser of Lovat, in the lands of Dalcross and others. Alexander Dallas seems to have had four other sons: (4) Patrick, maltman; (5) Hugh, his servitor; (6) Henry in Cantradown, and (7) William, servitor to James Campbell of Moy.

ALEXANDER DALLAS, the second son of Marjory and Alexander Dallas of Cantray, first occurs as a witness to a Cantray sasine on 3rd July 1617, and as he is there styled 'in Galcantray,' he had probably already married Margaret Hay, whose first husband, William Dallas of Budgate, died in 1616. In a decret of horning against William Dallas of Budgate, dated 12th March 1619, he is described as the spouse of Margaret Hay, conjunct fiar of Galcantray, and as succeeding in the place of the deceased William Dallas of Budgate in the labouring of the lands of Galcantray with the mill thereof. He is next mentioned in a sasine, dated 20th July 1620, to Mr. Alexander Ros of Cantrey, on a precept from Chancery, dated 20th June 1620, directed to Thomas Ros in Wester

Cantrey, as bailie, in which it is narrated that the King, with consent, etc., had confirmed a charter of sale and disposition therein contained made by John Grant of Freuchie to Alexander Ros of Cantrey and his heirs-male and assignees whomsoever of the lands of Cantraydown, Delligrauche, and Drumtennell, with pertinents, lying in the barony of Clavalg and shire of Nairn, also the superiority of the towns of Clavalg, Delcroy, Drumoir, and Easter Urquhill, with the pertinents and feu farms thereof, extending to £21, 5s. Scots; and the King further unites and erects the above lands into the barony of Clava. The witnesses to the sasine are Alexander Dolles in Galcantrey, Hugh Gray, servitor to Hugh Ros of Kilravocks, James Hay in Woods of Kilravocks, Donald M'Mairrich in Crossinteycht, Henry Dolles in Cantreydown, William Ros, there, John M'Gowin in Lochsloy, John Ros, servitor of the said Alexander Ros of Cantrey, George Ros in Cantrey, and George Dolles in Toureoch, the notary being John Donaldson. (*Reg. Sasines*, Elgin and Nairn, i. fol. 210.) The lands here referred to are those which were to have been exchanged by Alexander Dallas of Cantray for the barony of Rothiemurchus in 1545: they appear to have been retained by Grant notwithstanding the failure of Dallas to retain possession of Rothiemurchus.

On 15th September 1627 there is a registration of horning by William Ross in Cantradown against Alexander Dollas in Galchantray, who by bond dated 12th July of the same year is due to him £80. George Dollas, brother german to the said Alexander Dollas, who was personally present, was a witness to the execution of the horning. (*Reg. Hornings*, Inverness, i.)

It would appear that he married, as his second wife, Jean Sutherland, a daughter of Sutherland of Kinsterie (thereafter of Greenhal), as she is mentioned as executrix confirmed to him in a summons issued by his son. Jean Sutherland afterwards became the wife of John Rose of Blackhills, who died in 1673. (*Kilr.*, 525.) He was living in June 1662, when he

took a bond from Alexander Dallas of Cantray, his uncle, for 2000 merks, but did not long survive that date. Besides a daughter, Janet, he had (probably with other issue) an eldest son, John Dallas, who is known as burgess of Nairn, and is first mentioned in Cantray's bond to his father, 19th and 30th June 1662. His name occurs in the Nairn Burgh Register of Sasines from the year 1670 as one of the bailies of the burgh, and he appears to have held that office until his death, except during the period from 20th September 1670 to 1674, when he was annually elected treasurer of the burgh. On 21st March 1670 he had a bond from John Dallas, Dean of Ross, for 100 merks, written by Hugh Dallas, notary public, and signed at Calder, the witnesses being Alexander Dollas younger of Cantra, the said Hugh Dallas, and Hugh Dollas, merchant at Chanorie. (*Nairn Burgh Reg. of Deeds.*) There is also another bond to him for £56, 13s. 4d. by Robert Dollas younger, merchant in Fortrose, Robert Dollas elder, merchant in Fortrose, being cautioner, recorded at Nairn, 3rd October 1672 (*Ibid.*), and a bond to him for £42, by Robert Barbour, merchant in Inverness, is witnessed by William Dollas, his servitor, and not improbably his son. (*Ibid.*) Some time before 4th May 1675 he obtained a decree with reference to a bond granted by Evan M'Pherson of Alichitie, 12th June 1667, to which Robert Dollas, merchant, burgess of Inverness, claims right by assignation, but there is nothing to show a common interest between the two. (*Reg. Hornings, Inverness-shire, viii.*)

On 29th July 1675 a summons was issued at the instance of John Dollas, merchant in Nairn, as assignee, against Jean Sutherland, relict of John Rose, sometime of Blackhills, who was executor confirmed [and apparently widow] to the deceased Alexander Dollas, sometime in Galcantray, for payment of £309, 8s. Scots, left in legacy by the said deceased Alexander Dollas to Janet Dollas, his lawful daughter, and assigned by

her to the said John Dallas, 2nd October 1674. The record is followed on the same day by an exoneration and discharge to Jean Sutherland, in which John Dallas is stated to be brother of Janet. (*Reg. Decreets*, Moray, ii.)

Just previously, on 8th June 1675, John Dallas, burgess of Nairn (in what capacity is not clear), gives sasine of the town and lands of Auchindoune and Auchnayme to John Campbell of Auchindoune, son and heir of William Campbell of Auchindoune, his father, granted by Sir Hugh Campbell of Calder, and subscribed by Hugh Dallas, notary. (*Reg. Sasines*, Elgin and Nairn.)

In 1683 he acts as procurator for the recording of deeds in the Sheriff Court of Nairn, and his name so appears until 1691. On 21st July 1683 he records a bond by John Hay of Lochloy to Jean Sutherland, relict of John Rose of Blackhills, for 400 merks, in behoof of his only son John Rose, a pupil or minor. The bond was written by Hugh Rose, minister of Nairn, and signed at Insheoch, 2nd July 1683, before the said Hugh Rose and William Tulloch, bailie of Nairn. (*Sheriff Court Records*, Nairn; Deeds.) On 19th December 1691 he is designed Sheriff-depute of Nairn, and continued to hold that office until 6th April 1694, when he was succeeded by John Laing, the deputes apparently being changed with a change of sheriff. (*Ibid.*)

On 14th October 1692 he and others are pursued by John Sinclair of Stircock for a debt contained in a bond for £502, granted by them on 29th September 1691, to Mr. Robert Dunbar of Ankerhill, who assigned it to the pursuer; upon which an inhibition was used. (*Reg. Inhib.*, Elgin, Forbes, and Nairn, vii.) Whether this indicates that he was in financial difficulties at this time it is impossible to decide, but at his death in 1708 his testament-dative was given up (recorded 1st July 1709) by William Falconer, executor *qua* creditor, in respect of a bond dated 7th November 1698, when his effects were stated to be: seven oxen at £10 Scots; two cows at

£10 Scots; a young coyack at 7 merks; household furniture valued at £30, 1s. 8d.—a not very extensive property for a bailie and sheriff-depute.

Moreover, on 24th September 1704, John Dallas had disposed certain lands to his wife, Marie Urquhart, and of these lands sasine was given on 20th December 1708, presumably after his death, to Colin Campbell of Delnies, Alexander Dallas being bailie. (*Reg. Sasines*, Nairn Burgh, ii.)

It seems certain that John Dallas was twice married, though the name of his first wife has not transpired. By his second wife, Mary Urquhart, he had a daughter, Ann, born and baptized 25th January 1706, two of the witnesses being John Rose of Newton and Alexander Dallas, bailie of Nairn; and a son, George, baptized 23rd April 1708, the witnesses including George Munro, 'Laird of Cubrain,' Mr. George Dunbar, minister of Nairn, William Rose, 'Clava's brother,' Elizabeth Baily, Hugh Rose's wife, Elizabeth Leslie, the minister's wife, and 'Elizabeth Rose, David Rose in Flines his daughter.' (*Par. Reg.*, Nairn.) Of these children nothing further is known.

The eldest son and heir of John Dallas, presumably by a former wife, was

ALEXANDER DALLAS, who was admitted a burgess of Nairn in 1687 or 1688, having served his time with a litster in the burgh. On 28th April 1703 both he and his father, as witnesses, are described as bailies of Nairn, but his name ceases to appear amongst the bailies about February 1706. (*Reg. Deeds*, Nairn Burgh, 1672-1715.) He was concerned in various bond transactions, in one of which, dated 24th December 1700, he is described as 'litster and bailie of Nairn.' (*Ibid.*)

That misfortune overtook both him and his father is evident from a sasine, recorded 19th May 1712, in favour of John Cumming, Kirk Treasurer, of the lands of the deceased



John Dallas, proceeding upon an adjudication by the Lords of Council and Session, dated 9th November 1711, against Alexander Dallas, eldest son and heir of the deceased John Dallas, bailie of Nairn: the lands are called the Milnbank, and are described as lying between the lands of Hugh Rose of Clava on the east, of Calder's lands on the west, and the lands of Kildrinnie and the Gallowgate on the north. (*Reg. Sasines*, Nairn Burgh, ii.) Another record, undated, but probably of about the same period, bears that Alexander Dallas, litster and bailie of Nairn, having granted a bond, dated 24th December 1700, in favour of Alexander Falconer of Blackhills for £153 Scots, and having granted a bond for £80, 13s. 4d. to Alexander Ore, bailie of Nairn, on which latter bond horn-ing, caption, etc., had proceeded, now, in consequence of Falconer having paid Ore's debt and obtained a conveyance of it, grants a disposition in favour of the former of his lead caldron, press for pressing cloathes, shearing board and shears and all his other effects. (*Reg. Deeds*, Nairn Burgh, 1672-1715.) He is subsequently mentioned, now styled 'late bailie,' on 22nd May 1713 (*Ibid.*), after which he disappears from the records of Nairn.

There are but few Dallas entries in the Nairn parish register, and none, save the two already mentioned, which can be identified as descendants of Bailie John Dallas. Two of these entries may, however, be mentioned: (1) John Dallas at the Mill of Nairn was matrimonially contracted with Elspet Mack Kercher in Nairn, 2nd November, and married 4th December 1711: they appear to have had no issue; (2) John Dallas contracted with Janet Fraser, 24th January 1718: he was evidently 'in Ballavlarie,' and had a son James baptized 16th February 1719, another son, Mordache, baptized 16th July 1721, and a daughter, Janet, baptized 22nd December 1723. It seems not improbable that these were sons respectively of John and Alexander Dallas, the Nairn bailies.

## GEORGE DALLAS IN TURRIOCH

George Dallas in Turrioch was probably the third son of Marjorie Dallas of Cantray and Alexander Dallas.

In addition to William Dallas of Cantray and Alexander Dallas in Galcantray, his brothers seem to have been

- (4) Patrick Dallas, maltman ;
- (5) Hugh Dallas, his servitor ;
- (6) Henry Dallas in Cantradowan ;
- (7) William Dallas, servitor to James Campbell of Moy, as before stated, but we have not traced their descendants.

John Dallas, Bailie of Nairn (p. 136), had probably a third child, Jean, to whom he granted a bond for £133, 6s. 8d. on 29th April 1699, to be paid to her within a year of her marriage (Mackenzie, ii. p. 138). A witness to this deed is William Dallas, Student in Nairn. The amount is evidently one-third of £400, probably indicating that there were three children thus provided for.

## WILLIAM DALLAS II. OF CANTRAY

WILLIAM DALLAS, the son and successor of Marjory and Alexander Dallas, was probably born about the year 1590. From a decreet of the Lords of Session it appears that he was served heir to his mother, 23rd July 1605, but until after the death of his father he has not been found as 'of Cantray.'

He first appears in a public capacity on 3rd August 1613, when he and others were included in a commission issued by the Privy Council, to apprehend and exhibit before the Council Johne Calder and Donald Calder, sons of Thomas Calder in Delnie, and five others, who were put to the horn on 13th July last, at the instance of Coline Campbell of Clunes, for not finding caution to appear before the Justices on 5th November next, for fire-raising on the lands of Clunes and mutilating and slaying three mares and a horse belonging to the said Coline Campbell. (*Reg. Priv. Counc.*, x. 132.)

As has been recorded, the episcopal lands acquired in 1542 passed from the possession of the Cantray line on the death of Alexander Dallas of Cantray in 1565, but on '26th May 1617, Sir John Campbell of Calder sold to Williame Dolles of Cantray for 3000 merks, the lands of Croy, which he had acquired of Holme, to be held of the Bishop, the liferent reserved of Agnes Ros, and afterwards of Jonnet Campbell, spouse of the said Williame Dolles. She was the natural daughter of the Thane's father.' (Innes in *Thanes of Cawdor*, 241.) Careless genealogists have made this Agnes Rose the first wife of William Dallas: she was, in fact, the relict of David Rose of Holme, brother of John Rose of Holme, from whom Sir John Campbell purchased Croy, 16th June 1608. She was at the

time wife of Mr. William Campbell of Braicklie. The sale of Croy to William Dallas was confirmed in a charter by Alexander, Bishop of Murray, dated at Canongate, 24th June 1617, granting to Janet Campbell, spouse of William Dallas of Cantray in liferent, and to Alexander Dallas, their eldest lawful son, and his heirs-male in fee, the church lands of Croy, and contains a special clause of dispensation with all defects in previous infeftments of these lands as granted by the Bishop's predecessors to Sir John Campbell of Calder, John Ross of Holm, David Ross of Holm, or their predecessors or authors from the earliest date to the present. (*Cantray Charters*.) This was followed, 3rd July 1617, by the giving of sasine of these lands to Janet Campbell in person, and to Hugh Dallas in Cantray as procurator for her son Alexander Dallas, the witnesses being Alexander Dollas in Galcantray and William Dollas, son to the deceased John Dallas formerly in Cantray. (*Ibid.*) Previously to this a tack of the teinds of Croy had been granted by Mr. James Vaus, parson of Croy, to William Dollas of Cantray (who himself wrote out the document), and Janet Campbell, his spouse, and their heirs-male for the yearly duty of £6, 13s. 4d., and £1, 2s. 2d. of augmentation, dated 15th March 1617. (*Ibid.*)

It has been explained that Sir John Campbell of Calder, having become possessed of an opulent estate by 1610, did through either ambition or desire to purchase his native county, meditate the conquest of the Island of Islay, and to find money to undertake the reduction of Islay, sold Croy to William Dallas of Cantray and other lands to various neighbours. (Macphail's *Highland Papers*, vol. i. p. 132.)

Three years later the laird is found in collision with the law, the King's Advocate making complaint before the Privy Council, on 15th July 1620, that numbers of 'vagaboundis, soirnairis, counterfute thevis and lymmaris, callit Egiptianis' have been reset and entertained 'upoun the ground, land and possessiounis, and within the houssis of William Dollas of

Cantra and Alexander Ros in Cantrabrow, of thair speciall knowlege, consent and permissioun at the least be thair connivance ;' but, the parties appearing personally, the Lords assoilzie defenders, as in default of probation, they by their oath of verity have denied the charge. (*Reg. Priv. Counc.*, xii. 292.)

Though William Dallas was only one of many to whom the duty was assigned of bringing to order the turbulent Clan Cameron and its chief, the details as to the conditions of life prevailing in the Highlands at the time which are set forth in the Commission issued to this end are so instructive that no excuse is needed for recording them at length. The writ issued by the Privy Council on 18th June 1622 sets forth that :—

' Forsamekle as the Kingis Majestie haveing now by the force of his royall pouer and auctoritie and by his most prudent and wyse government reducit the who[le] Ilis and Heylandis of this kingdome to obedience, and establisheit pace, justice and quietnes within the same, to the comforte of all his Majesteis goode subjecteis within the Ilis and continent nixt adjacent, thair is onlie ane limmer, to witt Allane Cameron of Lochyell, that lyis out and refuisis to gif his obedience ; who being unworthie of his Majesteis favour formarie schawne unto him quhen he stode in danger of the lawis, and haveing maid schipwrak of his faith and promiseist obedience, and schaken of all feir of God, reverence of his Majestie and of his auctoritie, and regaird of justice, and being diverse tymes rebell and at the horne for crewell and detestable murthour and otheris insolenceis committit be him, he now hes associat a number of otheris thevis, tratouris and lymmaris, by whom he intendis to interteney ane oppin rebelloun, and to disturb and disquiet his Majesties pace in the heighlandis quhilkis his Majestie with so grite panes and travellis and expenssis has satled in obedience ; and quhairas it is a matter tuitching his Majestie verie heigle in honnour that suche ane onworthie

cative sall so long stand out as yf he war nather subject to king, law, nor justice ; and his Majestie understanding the goode affectioun of his traist cousigne Colline, Lord Kintail, and of his trustie and weilbelovittis Sir Lauchlane M'Intoshe of Dunauchtane, Sir Rorie M'Claud of Herries, Johne Grant of Freuquhie, Sir Johne Campbell of Calder, [Sir Dougal] Campbell of Auchinbrek, Sir Colline Campbell of Ardkinles, Johne M'Donnald M'Allane VcEane of Hantyrum, Capitane of the Clan Rannald, Sir Donnald Gorme of Slaitt, [Alexander] Campbell of Lochinyell, Sir Rorie M'Kenzie of Coygathe, Sir John Grant, apperand of Freuquhie, Johne Grant of Glenmoristoun, [William] Sutherland of Duffus, and Sir Mungo Murray of Drumcairne, Donnald M'Angus of Glengarrie, [Walter] M'Farlane, apperand of Arroquhair, Johne Grant of Ballundallache, David Ross of Hollme, Robert Campbell of Glenfallach, William [Dollas] of Cantra, Andrew M'Fersane of Clunie, Duncane M'Intoshe of Abirdour, Malcolme M'Intosche of Brome, and Patrik Grant of Ballindallache, to do his Majestie service, and how that they wilbe cairfull and willing to undergo quahatsomever panes and travel in his Majesteis service that salbe concredite unto thame : Thairfoir his Majestie, with advyse of the Lordis of his Secreit Counsaill, ordanes commissiouns to be past and exped under his Majesteis signeitt, makand and constitutand the persones abone wrettin and every one of thame, conjunctlie and severallie, his Majesteis justiceis and commissioneris in that pairt to the effect underwrettin, gevand, grantand and committand to thame conjunctlie and severellie full pouer and commissioun, expres bidding and chairge, to convocat his Majesteis liegeis in armes, and to pas, serche, seik, hunt, follow, and persew with fyre and sword, the said Allane quhairevir he may be apprehendit, and to keep, hold, and detene him in suir firmance and captivetie ay and quhill they may convenientlie exhibite him befoir his Majesteis Counsell to the effect ordour and directioun may be gevin for his punishment as accordis. And, yf it

salhappin the said Allane for eschewing of apprehensioun to flee to strenthis and houssis [here follow the usual powers in such cases given to the Commissioners, with the usual indemnity for any violent accidents ; with powers also to use hagbuts and pistols in the actual service]. Chairging heirby all his Majesteis liegeis and subjectis to reverence, acknowledge, and obey, ryse, concur, fortifie and assist the saidis commissioneris conjunctlie and severellie in all thingis tending to the executioun of this commissioun, and to do nor attempt nothing to thair hinder or prejudice, as they and ilk ane of thame will ansueir to his Majestie and his Counsaill upon thair obedience at thair heighest chairge and perrell. This commissioun untill the feast of Alhallomes in the yeir of God j<sup>m</sup>vj<sup>c</sup>xxiiij yeiris, but revocatioun, to indure. Sic subscribitur : Mar, Sanctandrous, Mortoun, Glasgow, Wigtoun, Lothiane, Roxburgh, Melros.'

This is followed by a proclamation for the arming of all the Clan Chattan for concurrence with the Commission. The preamble and list of Commissioners are almost identical with those in the Commission, and the document then proceeds : ' in the executioun of the quhilk commissioun necessair it is that the said commissioneris be assistit with some ressonable forceis of his Majesteis goode subjectis : For quhilk purpois the saidis Lordis ordanes letteris to be direct chairging all and sindrie persones of the Clan Chattane betuix saxtie and saxtene yeiris and otheris fensible persones as well to brugh as to land of the said clan, quhairever they duell, and all and sindrie landit gentlemen and substantious yeemen within the boundis of Moydert, Glengarrie, Morrell, Stratharrik, Athol, and Rannoche, be oppen proclamatoun at the mercat croce of the brugh of Invernes and otheris placeis neidfull, that they and everie one of thame, weill bodine in feir of weir in thair most substantious and weirlyk maner, ryse, concur, fortefe, and assist the saidis commissioners conjunctlie and severallie in

the executioun of this commissioun, and for this effect to convene and meete with thame at suche dayes, tymes, and placeis, and with sua many dayis victuallis and provisioun as they salbe adverteist be the saidis commissioneris, and to follow thair directioun in all thingis towching the persute of the said Allane, under the pane of tinsall of lyffe, landis, and goodis, And siclyk to command, chairge, and inhibit all and sindrie his Majesteis liegeis and subjectis that nane of thame presome nor tak upon hand to ressett, supple, nor intercommoun with the said Allane, his wyffe nor barnes, furneis thame meit, drink, housse, nor harborie, nor no other thing comfortable and necessair unto thame, nor haif intelligence with thame privatle nor publictle be worde, wrete, nor message, nor to sell or furneis unto thame victuall, armour, poulder, or bullett, nor to tak thair goodis and geir in keiping, nor to hyde, horde, or conceale the same, nor to minister unto thame ony kynd of conforte, supple, or maintenance, under quhatsoever cullor or pretext, under the pane to be repute, haldin and estemit as favouraris, assistaris, and partakeris with thame in all thair tressonable and wicked deidis, and to be callit, persewit and punist thairfoir with all rigour and extremetie. And yf ony of his Majesteis subjectis do stand under bandis of freindschip with the said Allane, that they immediatle upon the publicatioun heirof renunce and discharge the saidis bandis, and keip no longer freindschip with him, bot to reput and hald him as ane rebell and tratour to God, his prince, and countrey. Sic subscribitur: Mar, Sanctandrouis, Mortoun, Glasgow, Lotheane, Wigtoun, Roxbrugh, Melros.'

Then follows:—

'His Majesteis missive letter for warrand of the Actis abonewrittin:—

'Right trustie and right weilbelovit cosines and counsellouris, and right trustie and weilbelovit counsellouris, we greete yow weele.—Whereas Allane M'Eanduy, in contempt of us and our government, standeth out in his rebelloun,



oppressing his nightbouris and behaveing him self as yf thair wer nouthir king nor law in that oure kingdome, it is our pleasour that yow ratifie quhatsoever actis yow haif heirtofoir made aganis him, and forder that yow expeid a commissioun in dew forme to Sir Lauchlane M'Intoshe, the Lord Kintail, the Laird of Grant, and suche otheris as the said Sir Lauchlane sall nominat, to prosecute the said Allane with fyre and swerd till they haif apprehendit or at least mak thame ansuerable to our lawis, and that yow direct strait chargeis to all these of the Clan Chattane, whersoever inhabiting to follow the said Sir Lauchlane in that service; as also that yow charge the Marques of Huntlie and the Lord Gordoun, as sheriffs of Innernes, to be ayding and assisting to our saidis commissioneris. Moreover that chargeis be directit to the freindis of the Earle of Argyll and all otheris nixt adjacent to the said Allane in na wise to assist him, with certificatioun that whosoever sall ayde, assist, releve, or intercommoun with him salbe accompted pairttakar of his rebelloun, and be punist accordinglie.—Gevin at Quhytehall the saxt of May 1622.'

This missive letter was obtained by Sir Lachlan Mackintosh in London, and was carried by him to Edinburgh, where he obtained the Commission authorising his pursuit of his enemy, Lochiel, but on his way north he died at Gartenbeg in Strathspey, on 26th June, and many years afterwards, on 18th March 1634, William Dallas was one of the jury for the retour of his son and heir, William Mackintosh of Torchastell, who was an infant at the time of his father's premature death.

For good reasons, no doubt, the old law of Scotland prohibited the promiscuous carrying of fire-arms by the lieges, and with this law the laird came in conflict, for in or before October 1623 the King's Advocate complains before the Privy Council that William Dollas of Cantra, Alexander Gordoun Adamesone, David Rose of Madat and John Sutherland of Clyne, have, during the years 1617, 1618, 1619, 1620, 1621,

1622 and 1623, borne hagbuts and pistolets, and sometimes shot wild-fowl and venison. As the defenders did not appear to answer the charge the Lords order them to be denounced rebels (*Reg. Priv. Counc.*, xiii. p. 252), without, apparently, any serious result to the delinquents.

With the accession of a new laird the dispute as to the old Rothiemurchus excambion again emerges. On 8th July 1623 the Lords of Council give decreet transferring a decreet of 21st June 1594, by which the cause was transferred to John Grant, now of Freuchie, 'pronevoy' and heir of the said James Grant, his 'guidschir,' and to Marjorie Dollas, daughter of the deceased 'Hendrie Dollas,' apparent of Cantray, 'pronevoy' and heir of the said Alexander Dollas, 'his guidschir,' and Alexander Dollas of Cantray, her spouse, for his interest, and mention is made of the production of an extract from the Sheriff Court Books of Inverness, dated 28th January 1582, under the signature of William Cunningham, notary public, bearing that Marjorie Dollas was served nearest and lawful heir to the said deceased Alexander Dollas, 'her guidschir.' (*Acts and Decr. Lords of Counc. and Sess.*)

Either the writer or the scribe has made havoc of the names and relationships. Marjory's father was, of course, Alexander, and her grandfather Henry, while Henry was the son, not the grandson, of Alexander Dallas, who entered into the agreement with Grant in 1545.

This decreet was followed by an action brought by Sir John Grant, 'now of Frewchie,' in the Court at Inverness, in which the particulars of the agreement of 1545 are recapitulated, and the record states that the contract is registered 'in the Officiall or Commissaris Bookes of Murray and his decreit interponit thairto' upon the said 23rd day of April 1545, and thereafter transferred by a Decreet of the Lords of Council pronounced on 21st June 1594, 'in the said umquhill Johne Grant of Frewchie, the saidis complaineris father as pronevoy and air of the said umquhill James Grant of Freuchie

*active* and in Marjorie Dollas dochtar to umquhill Henrie Dollas, appeirand of Cantray, pronevoy and air to the said umquhill Alexander Dollas of Cantray his guidchir and umquhill Alexander Dollas of Cantray hir spouse for his entres *passive*,’ and which was thereafter transferred by the said Lords’ decreet pronounced 7th. November 1621, ‘in William Dollas of Cantray, sone and air to the said umquhill Marjorie Dollas quha wes dochter to the said umquhill Hendrie Dollas appeirand of Cantray pronevoy and air of the said umquhill Alexander Dollas of Cantray hir guidschir, procreat betwix hir and the said umquhill Alexander Dollas of Cantray hir spous *passive*, and which is since transferred by the said Lords’ decreet on 8th July last in the said complainer,’ as heir to the said John Grant of Freuchie. This contract the said William Dollas now of Cantray has not yet observed and will not unless compelled, but intends to sell and dispone upon the said lands. Whereupon inhibition is used, dated 10th February 1624, and execution made on 3rd April 1624, at the place of Cantrey, where William Dollas now of Cantrey dwells and makes his residence and where ‘his wyff, bairns and servantis wes for the present.’ The messenger, it is added, ‘knockit nyne severall knockis.’ (*Reg. Horn. and Inhib.*, Inverness, v.)

In view of the fact that Rothiemurchus had for many years been in the actual possession of the Grants, and that Easter Urquhart, Cantraydoun, Dalgramich and the barony of Clovag or Clava was securely held by the Roses of Clava, it is difficult to understand the persistence of the Grants of Freuquhy in demanding performance of this contract, but that the Dallases’ right to Rothiemurchus was recognised is proved by the issue of Crown precepts, dated at Edinburgh, 30th August 1626, directing Sir John Grant of Freuchy and ‘Alexander Dollas of Cantrey, baron of Rathamurchus,’ as superiors, to give sasine to Maria and Christina Bayne, two of the three granddaughters of the deceased Andrew Bayne M’Kinnauch of Kennapoill, in their respective thirds of

Kennapoill, in the barony of Rathamurchus. (*Mackintosh Mun.*, 82.)

On 18th September 1634, William Dallas was chosen, among others, to act as a Justice of the Peace for the sherifffdom of Nairn, his neighbour the Baron of Kilraack being nominated convener. (*Reg. Priv. Counc.*, 2 ser., v. p. 388.)

On 28th March 1636, John Campbell, fiar of Calder, granted a charter of alienation and confirmation (registered 25th May following) to William Dollas of Cantray, in favour of himself in liferent and fee, and to Alexander Dollas, his eldest son procreat betwix him and Jonet Campbell, his spouse, and to the heirs-male lawfully to be procreated of his body, whom failing, to the heirs-male whomsoever lawfully procreate or to be procreated betwixt the said William Dollas and his said spouse heritably, whom failing, to the heirs-male lawfully procreate or to be procreated of the body of the said William Dollas, whom all failing to the lawful and nearest heirs-male and assignees whomsoever of the said William Dollas bearing the surname and arms of Dollas, of the lands of Cantray Leis with manor place, tower, etc., and mill and mill lands thereof, and also of the lands of Cantray Freis and Drummin, with houses, etc., in the barony of Strathnairn in the shire of Inverness. (*Reg. Sas.*, Inverness, v. fol. 315.)

In the two following years William Dallas acquired two small properties by purchase. On 11th May 1637 sasine was given on charter by William Ross of Teirfogleine in favour of William Dollas of Cantray in liferent, and to John Dollas, his second lawful son heritably, of the lands of Terfoglein with pertinents, together with the salmon fishing called Poile Dowy upon the water of Findhorne in the thanage of Calder and shire of Nairn. The precept is subscribed at Calder, 14th June 1636, by the said William Ross, Jonet Neyne Donachie, his spouse, and by Shiak Dollas 'for his interest,' in presence of Colin Campbell of Breachlie and others. (*Reg. Sas.*, Elgin and Nairn, iii. fol. 130.) Shiak or Shaw Dollas must have been

a near relative, but unfortunately cannot be identified. Then on 2nd February 1638 there is sasine on charter, dated at Inverness, 23rd January 1638, by John M'Quein in Coull, with consent of Agnes Campbell, his spouse, in favour of William Dollas of Cantray in liferent, and to John Dollas his lawful son heritably and his successors whomsoever, of the lands of Little Conlachan, with houses, parts, pendicles, and pertinents thereof and salmon fishings on the water of Findhorn. William Dollas, servitor to William Dollas of Cantray, is one of the witnesses. (*Ibid.*, fol. 161.) These lands were, however, afterwards settled upon the second wife of the Laird.

At this time, and for some years afterwards, Dallas was much occupied with the affairs of his neighbours at Cawdor. On the marriage of his son John, thereafter styled 'the Fiar,' Sir John Campbell resigned the fee of his estate to him, but on 19th September 1639 the young thane was cognosced a lunatic, and his affairs fell into the hands of his tutors, first, his brother Colin, who died in 1642, and secondly, his brother George, who continued to act as tutor until the death of John 'the Fiar' without male issue in 1654. What Dallas's legal status may have been has not transpired, but he was probably one of the curators of the thane, as he was later of Hugh Campbell of Cawdor, his nephew and successor. Thus, in one of the tutor's discharges for the year 1639, he records that he had 'depursit quhilk was spent be Dolles of Cantra out of the rentis of Ardroseir in Murray, quhilk pertemit to me the said Coleine, quhilk Dollas spent into the Lairdis effaires in supplieing of the Lairdis place at all meitingis quher he was requyreit be the Committies in the northe, and for goeing as heidis man with the lairdis men to all thair convocationes quhilk the publick had aganis the ante covenantaris bothe in the shirradome of Aberden Banff Elgeine Forres Narne and Inuernes 1638, 1639, 1640 £433, 6s. 8d.' Whether the sum of £37 'given out till beare John Dollas his charges and the

tua men that went about from Glasgow with the munitioun to Illa,' was paid to Dallas's second son or to some other John Dallas is impossible to determine. (*Cawd.*, 297-8.) Following on the death of Colin, tutor of Cawdor, Sir Donald Campbell of Ardnamorehyn and three other Campbells, friends of the house of Cawdor, wrote to Dallas from Coulndallich, 30th September 1642: 'Right worthie and lowing freind—Seing we ar informit that the umquhill tutor of Calder knawing himself diseasit withdrew himselff to your hous as he aucht of deuty, and left with yow the keyis of the trunkes quherin the richtis of the estait of Calder and his awin lyes, it is expedient that ye preserwe weill these keis and give thame to no man as ye tender the standing of the hous and the weill of the orphanes that he left behind him untill the tyme with consent of the speciall freindis ye delywer thame to these quha hes best entres therto, quhilk we ar confident ye will do, knawing yow weill sett for the standing of the hous and orphanes.' (*Cawd.*, 289.) That the tutor 'aucht of deuty' to retire to the house of Cantray indicates the intimate relations existing between Cawdor and Cantray. The orphans were the children of the tutor Colin, the son, Hugh, afterwards succeeding to Cawdor. Another letter on the affairs of Cawdor, dated from Ardchattan, 17th October 1642, is from Archibald Campbell of Leragis, Dallas's brother-in-law, and is wholly devoted to the state of things produced by the death of the tutor. It concludes 'in heast with my best wissis ever rememberit to all weill affectit freindis thair, especially my sweit sister your bedfellow,' and is superscribed 'For my verie worthie and loveing brother William Dolles of Cantra.'

While thus engaged in the affairs of his neighbour he was not neglectful of his own, for it must have been at this time that he rebuilt Cantray house. Who was its architect and what its aspect there is now nothing to tell, but when, some two hundred years later, it was demolished to make room for the present mansion, two carved stones were preserved, on

one of which was the monogram of Dallas and his wife, and on the other a shield bearing the fess and three stars of Dallas, and the date 1641. These stones were given to Miss Elizabeth



Jane Dallas, who placed them on the front of her house, 12 Church Street, Nairn, and on her death passed to Mr. Thomas Yorke Dallas-Yorke of Walmsgate. The mason who removed the blocks stated that there was a third stone, on which were represented 'ships and other pictures,' but as it was broken it was not preserved: these figures must have represented the arms of Campbell of Cawdor, placed there to commemorate Dallas's marriage with Janet Campbell.

At a meeting of the Scottish Parliament held 15th August 1643, it was resolved to grant a sum of twelve hundred thousand merks Scots, for the purpose of supplying ten thousand men, as the late Parliament, 'taking to thair consideratioun the rebellious in Ireland and danger upon that occasioun threatned against the protestant religioun Did their upon and out of thair affectione to the Kingdome of England' recommend. For the collection of this subvention eight sub-collectors were appointed for the sherrifdom of Nairn, George Campbell, brother to the laird of Caddell, and William Dollace of Contra being named 'conveiners for the first meiting and thairefter the rest of the shyre to mak choise of thair awin.' (*Acts Parl. Scotl.*, vi. i. p. 26.)

As one of the curators of the youthful Thane of Cawdor, Dallas was the first of six signatories of a letter dated at Calder, 22nd April 1650, setting forth that 'the freindis of the hous of Calder . . . fyndis it necessar that ther be sex sojoris with the present porter and watch, be brought in for main- taining the hous off Calder dureing the present and apareand trublis' (*Cawd.*, 291); and a month later the tutor of Cawdor writes to Mr. Alexander Dollas of Galcantray: 'Quhen the

Laird [of Cawdor] his tyme runes with you I have given ordoris to Cantray and his sone to convoy him to Lorne . . . , and quhen ye have delyvered the Laird to Cantray and his sone, faill not to give young Cantray suche furnishing as heirin specifeit viz. tuo feather bedis tuo bolsteris tuo coveringis 2 guid whyte plaidis 2 stand of curtines with their pandis 3 paire of sheitis 2 pair of codis. And stent horse of the countrie people to carye thir thingis to Innerlochie, and let Cantray and his sone with yow stent as maney of the Lairdis tennentis and vassalis to convoy him as Cantray thinkis expedient.' (*Cawdor*, 293.) The 'trublis' here alluded to are, of course, those following the execution of King Charles I. and the establishment of the Commonwealth in England: a journey from Strathnairn to Lorn with a little boy only eleven years of age must have been one of no small danger and difficulty.

At this time the Laird made a small purchase of property. James Cuthbert, who succeeded the deceased Colin Campbell as Sheriff-depute of Nairn, on 3rd August 1650 disposed in favour of William Dollas of Cantray, the half davach lands of Braichlies called Calder's Braichlie, with the pendicle thereof called Bellalaggan, in the thanage of Calder, which he had acquired of John Campbell of Calder with consent of George Campbell, his brother german, one of the witnesses to the disposition being Alexander Dollas, fiar of Cantray: sasine was given the same day. (*Reg. Sas.*, Elgin and Nairn, 30th Sept. 1650; *Reg. Sas.*, Inverness, iv. fol. 49.)

The intolerable persecution to which the members of the Church were often subjected under the specious forms of kirk discipline has been frequently referred to by writers on Scottish manners, and no better example could be found than a case against the laird of Cantray, which is recorded in great detail in the Session Records of Croy.

On 12th August 1649 'the session did nominat William Dolas of Cantrey and Alexander Ros in Cantredoune as rouling



elderie,' and on the 21st July following appears the following entry :—

'Convenit minister and elders. . . .

'Having incallit upon the name of the Lord.

'The quiche day the minister being informit of ane scandall upon William Dolas of Cantray quhe being sitting in sessione as ane elder is removit to have no place thair till he be free of the said scandall. . . .

'28 July. The quiche day William Dolles of Cantray being cittit and compearit being askit concerning the former scandell with Agnis Morisone his miller's wife answerit that he was willing and desyrent that the minister and elders use all kand of tryall they could and withall defyeing them to the uttermoist to prouve anie presumptione and withall yet compleines upon minister and elders that upon ane simple repoint to rese aine citation against him. . . .

'11 August. The minister and aldaris having advysit concerning the scandell reporttit upon William Dolas of Cantrey hes thought it expedient to wairnet such personis as ar neirest dwelling at Dolas housse to be cittit to the next sessione daye. . . .

On 18th August, John M'Farquar, John Flach, and Arthur Tulloch, all sworn and examined, stated that they had seen no hanting between Dolas and Agnis Morrison, and had never seen her go into Dolas's house except with her husband. Alexander M'Phail, Milware, Morrison's husband, was also examined, but declared he had seen nothing and had no suspicions. He admitted a story about some one coming to his bed at night, and that he had pursued the person and another man with his sword, but he could not swear it was Dolas of Cantray.

'3 September. . . . The quiche daye the alderie being askit qut tryall thai had maid concerning th<sup>t</sup> scandall laid gains William Dolas of Cantrey answerit thai have serchit al the wayes thaii could but could find na foder y<sup>r</sup>foir thaii

to be advysit againe the nixt sessione daye and so that he may be reponent againe as ane elder ais befoir. . . .

‘15 September. . . . The quich daye the minister having askit the elderie according to the aith of fidelity in thr chairge to declare qut thai did knawe or heir concerning William Dolas of Cantrey in that scandel lad againe him giffe thai did try any privat hanting betwix the said William Dolas and his milwars wyffe thai being severallie askit be thr namis Declairis that thai could not heir nor find ani privat hant betwix thaie persons but onlie the vulgar report and thaii had na fudder to saye in that bissinis.

‘The minister to advise the presbytery that they had no further process, etc.’

Thus for two weary months was the victim of ‘vulgar report’ subjected to the ignominy of an examination more trying than that of any court of law, subject to the lying testimony of enemies and protected by no rules of procedure. In many cases, of course, where the victims of ‘delation’ were a young man and maiden, the results of the system were still more cruel, as in the case of Alexander Dallas in the Brae of Cantray and Margaret Law, who were delated at Croy on 28th February 1647, and appearing before the Session on 7th March, ‘did declair them selffies upon yr oith that thai war frie of the alledgit scandall.’ They were apparently exonerated, and were married at Inverness, 29th May 1649. It may be added that Alexander Dallas died in January 1678, his testament being given up by the widow. By his will he left his property to his wife, Margaret Law, and his daughter Margaret Dallas, and a legacy to John Dallas, his brother’s son; the witnesses to his will were Hugh Dollas in Cantray, John Dollas there, and William M’Intosh in Dalkroce. These Dallases were probably relatives of Cantray, but their connection with the family has not been ascertained.

On 12th September 1651, William Dallas of Cantray and Alexander Dallas, his eldest son, executed a procuratory

for resigning the lands of Cantraylees, extending to three merk land of old extent, and the lands of Cantrayfres and Drummore, extending to a twenty shilling land of old extent, in favour and for new infeftment of the same to the said William Dallas in liferent, and Alexander Dallas in fee. (*Cantray Charters.*) An instrument of resignation followed (*Ibid.*), and on the same day John Campbell of Cawdor granted a charter of resignation and confirmation with a *de novo damus* of these lands, together with the miln and miln lands thereof, to the same persons (*Ibid.*), and the instrument of sasine thereon is dated 23rd February 1651-2. (*Ibid.*)

Of the death of Janet Campbell, the Laird's first wife, there is no record, but in 1651 he is found marrying again. The marriage contract is dated at Cantray and Suddie, 8th and 21st January 1651-2, between William Dallas of Cantray and Alexander Dunbar of Bennetsfield, as taking burden on himself for Christian Dunbar, his lawful sister. Dallas undertakes to invest her, 'his future spouse,' in liferent, and the children of the marriage in fee, in the lands of Teirphogreine, Little Conlachane, and salmon fishings on the Findhorn, and in Calder's Bracklie and Bellalagan, and she and her brother oblige themselves to convey what estate she may derive from her late father, John Dunbar of Bennetsfield. The contract is signed by William Dallas at Cantray, 8th January 1651, before Colin Dunbar, brother german to the said Alexander Dunbar, and James Anderson, Sheriff Clerk of Nairn, and by Alexander Dunbar and Christian Dunbar at Suddie, 21st January 1651, before George Dunbar, brother german to the said Alexander Dunbar and William Dunbar in Lochloy. (*Tain Records*, vol. ii. 7 Sept. 1671.) Sasine was given 3rd March 1651, Colin Dunbar, the bride's brother, acting as her attorney, and in the record the fishings of Terphogreine are stated to be 'called Poldowie.' (*Reg. Sas.*, Elgin and Nairn, iv. fol. 55.)

On 3rd May 1656, John Campbell, 'now of Auchindoun,' resigned the lands of Carnoche and Drynachan to Hutcheone

Campbell, with consent of Alexander Dolles, fiar of Cantrey, one of his curators, one witness being James Dolles in Budgett, and on the 22nd May following sasine of these lands was given to John Campbell of Auchindoun, as nearest heir to James Campbell of Auchindoun, his grandfather, on a precept of entry, dated 2nd May 1656, by Hutcheon Campbell of Calder, with consent of his curators, one of whom is William Dallas of Cantrey. (*Reg. Sas.*, Elgin and Nairn.)

For some unexplained reason the Laird had neglected to enter his son as heir of the lands of Croy, and accordingly in the Court of the Regality sitting 9th October 1660 he appears as one of those fined for the non-entry of the righteous heirs to their lands, and the lands are decerned in the superiors' hands. Two years later, however, on 9th October 1662, in the same Court, 'Alexander Dolace of Cantrae producit his seasing under the hand off Alexander Dunbar notar publict off the dait the second off July 1628 registrat in the Register of the seasings off Invernes at Chanonrie by William Lauder Clerk on the second July 1628 and seit rollit.' (*Court Book*, Regality of Spynie.)

A trial for witchcraft held at Aulderne, 13th April 1662, in which Issobell Gowdie, spouse to John Gilbert, in Lochloy, makes an interesting confession, which is too long for reproduction here, shows that at this time the Laird was filling the office of Sheriff-depute of the sheriffdom of Nairn (*Pitcairn, Crim. Trials*), and he is so described on 29th October of the same year when, as bailie, he gives sasine of the lands of Kilravok to Hugh Ros of Kilravok as nearest heir of Hugh Ros of Kilravok, his father. (*Reg. Sas.*, Elgin and Nairn.)

On 15th June 1664 suspension of horning was granted at the instance of William Dollas of Cantrey, against Elizabeth Campbell, relict of Donald Campbell, lawful son to the deceased John Campbell, of Inchgeddell, by whom he has been charged to wair and employ a sum of 600 merks, on land to be forthcoming to her in liferent, and that by advice of Colin

Campbell of Dunolidad (?) and Mr. David Campbell, minister at Carristowie, in terms of the contract of marriage made between John Campbell, portioner of Stedobreys, for himself and the said charger and the said Donald Campbell as principal with the complainer, and Mr. James Campbell, of Moy, as his cautioner, dated 6th and 27th April 1636. The suspension is granted on the plea that the time had not yet come, as it was only to be when the tocher of 500 merks was paid. (*Reg. Hornings*, Inverness, vi.) The widow failed to get satisfaction, and assigned her right to one who transferred it to William Dallas, son to the deceased John Dallas, sometime in Islay, and he, as assignee of a sum now of 800 merks, sues Campbell of Moy for the amount. (*Decrees*, Court of Sess., Dalrymple Office.) The relationship of these two Dallases to the Laird cannot, unfortunately, be traced. [Unless John Dallas who went to Islay was the second son of William Dallas of Cantray. The fact that his son was called William Dallas supports this view.—ED.]

On 8th April 1667 the Laird signed a charter of the lands of Budgate, cited elsewhere, as one of the curators of Sir Hugh Campbell of Cawdor, and this is the latest notice of him which has occurred. His death is recorded in the 'Diary of Alexander Brodie,' on 24th October 1671: 'I heard of the death of old Cantra, and desires to be instructed, and was cald to his burial against the 26.'

Although twice married, only three sons of William Dallas are mentioned in the records—Alexander, his heir, John, and (by the second marriage) Hugh, afterwards of Brackley.

JOHN DALLAS, the second son, has already been mentioned as having a heritable interest in his father's purchases of Terfogrein and Little Conlachan. His name first occurs on 10th August 1636 in a registration of horning by 'John Dollas second lawful son to William Dollas of Cantray,' and the said William Dallas as 'lawful administrator' to him,

against Alexander Montgomerie of Little Orkney, who by bond, dated 6th November 1634, is due 440 merks which he borrowed from the said John Dallas, besides interest. (*Reg. Hornings*, Inverness, vol. ix. fol. 74.) On 8th June 1643, John Dallas was a witness to the sasine of William Campbell of Auchindoun as son and heir of the deceased James Campbell of Auchindoun, in which his father acted as bailie. (*Reg. Sas.*, Elgin and Nairn, iii. fol. 315); and he was also witness to a precept of *clare constat*, dated at Calder, 30th August 1648, by John Campbell of Calder, in favour of James M'Intosh, son and heir of the deceased Mr. Angus M'Intosh, prior of Kingussie, of the lands of Drumdich in the barony of Durris. (*Reg. Sas.*, Elgin and Nairn, vii. fol. 94.) Finally, he is found as a witness of his father's procuratory of resignation of 12th September 1651. After this he cannot be identified, and as the lands of Terfoglein and Little Conlachan, to which he had a heritable right, were shortly afterwards settled upon his father's second spouse, the possibility is that he died between September 1651 and February 1652, though there is a temptation to identify him with a John Dallas, styled 'of Cantra,' who occurs as an elder of Croy, 15th May 1682, and whose damaged tombstone in the kirkyard of Croy still records: 'Here lies ane honest man John Dallas . . . his spouse and their posteritie 1688.' The editor is inclined to favour the view that he went to Islay and became the progenitor of the family found there.

The third son, HUGH DALLAS OF BRACKLIE, obtained a wadset of these lands on 23rd March 1681. He, however, conveyed them to his eldest brother, Alexander of Cantray, on 17th October 1684. (Great Seal, 19th December 1694.) He is described late of Bracklie on 7th November 1696. (*Inverness Sasines*, vi. 89.) He married Christian, second daughter of Alexander Urquhart of Newhall, in 1684. (*Elgin Sasines*, iii. 178, 1st July 1684.) He had two children at least—William

Dallas in Balmachree and a younger brother John Dallas in Dalziel. William Dallas married Grishald M'Intosh, daughter of John M'Intosh of Dalmigivie, on 13th August 1709 and had the following children: (1) Hugh, baptized 10th September 1710; (2) Christian, baptized 24th July 1712; (3) John, baptized 22nd December 1716; (4) Marjorie, baptized 12th March 1719; (5) Ann, baptized 2nd September 1720. (*Petty Par. Reg.*) (Balmachree means Town of my Heart.)

John Dallas in Dalziel married Marjorie M'Intosh (proclaimed 19th August 1712) (*Petty Par. Reg.*), granddaughter of John M'Intosh there, and had the following children: (1) Donald, baptized 10th May 1714; (2) Lachlan, baptized 25th March 1716; (3) Margaret, baptized 15th March 1718; (4) William, baptized 27th December 1719; (5) Isabella, baptized 22nd December 1724; (6) a child, baptized 20th January 1726; (7) John, baptized 26th July 1727; (8) Janet, baptized 19th January 1729; (9) John, baptized 30th March 1731. (*Petty Par. Reg.*)

## BRACKLIE

Hugh Dallas, third son of = Christian, second daughter  
William Dallas of Can- of Alexander Urquhart  
tray, and eldest son of of Newhall.  
second marriage. Had  
wadset of Bracklie, 22nd  
March 1681. Married  
1684.

William Dallas in = Grishald M'Intosh,  
Balmachree. Mar- daughter of John  
ried 13th August M'Intosh of Dal-  
1709. migivie.

John Dallas in = Marjorie M'Intosh.  
Dalziel.

Hugh, bap. 10th Sep. 1710.	Chris- tian, bap. 24th July 1712.	John, bap. 22nd Dec. 1716.	Mar- jorie, bap. 12th Mar. 1719.	Ann, bap. 2nd Sep. 1720.	Donald, bap. 10th May 1714.	Lach- lan, bap. 25th Mar. 1716.	Mar- garet, bap. 15th Mar. 1718.	Wm., bap. 27th Dec. 1719.	Isa- bella, bap. 22nd Dec. 1724.	?	John, bap. 20th July 1726.	Janet, bap. 26th July 1727.	John, bap. 19th Jany. 1729.	John, bap. 30th Mar. 1731.
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See page 431 for continuation of the history of this family.

### ALEXANDER DALLAS III. OF CANTRAY

ALEXANDER DALLAS OF CANTRAY, the eldest son and successor of William Dallas, appears to have been born in 1617, and was infeft in certain of his father's lands in his infancy. While still an infant he appears to have become 'fiar' of Croy, for in a charter, dated at Elgin 7th May 1628, John Bishop of Moray granted to Jonet Campbell, spouse of William Dollas of Cantra in liferent, and Alexander, their eldest son, and his heirs-male bearing the name and arms of Dallas, and his assignees heritably, the lands of Croy in the barony of Ardelache. Sasine was given on 2nd July 1628, Patrick Dollas, servant to the said William Dollas, being procurator for Alexander (*Part. Reg. Sas.*, Inverness, iv, fol. 89), and when, many years later, a question of ownership was raised in the Regality Court of Spynie, this sasine was produced in evidence on 9th October 1662, as already related.

On 2nd May 1642 a charter was granted by Alexander Dollas, fiar of Cantray, with consent of his father and mother, in favour of Christian Dunbar, eldest lawful daughter of Ninian Dunbar of Granghill, in liferent, in implement of a contract of marriage, of the town and lands of Croy, with the kill and croft thereof. Amongst the witnesses were Robert Dunbar, apparent of Granghill, and William Dollas of Budzett. To the sasine, given on the same day, the fiar is himself a witness. (*Part. Reg. Sas.*, Inverness, vi, fol. 44.) And on the same date he granted another charter in favour of Christian Dunbar, his future spouse, of the town and lands of Cantray Frische, the sasine being witnessed by Mr. Alexander Dollas, apparent of Budzett, Patrick Dollas, maltman in Dollas Cantray, Hugh



Dollas, his servitor, and William Dollas, servitor to Mr. James Campbell of Moy, while to the precept William Dollas of Budzett is a witness. (*Ibid.*, 415.)

On a charter, dated at Boith, 21st September 1640, by Patrick Paipley and Bessie Dunbar, his spouse, sasine was given to Alexander Dollas, fiar of Cantray, and Christian Dunbar, 'now' his spouse, on 31st July 1646, of that part of the lands of Meikle Geddes now called the lands of Brounehill, in the shire of Nairn (*Reg. Sas.*, Elgin and Nairn, iii. fol. 367), but this was merely a wadset, which was subsequently re-deemed.

Like his father, the fiar became an elder in his parish kirk of Croy, his first appearance in that capacity being on 26th August 1648, when he, as 'ane ruling Elder is nominat to go in to the presbetrie' (*Sess. Minute Book*, Croy), and on 14th October following he and Mr. Alexander Dolas of Galla Ca'trezie are included in the list of 'honest personis' whom the minister had required to be 'choissine and nominat as elderie.' (*Ibid.*) Again, on 31st March 1650, 'according to the order of o' kirk William Rose of Clava put in leitt with Alexander Dolas fiar of Cantreie to be votit to go to Elgin to the provincial Assemblie being the 2 of Apryll' (*Ibid.*), but the record does not disclose the successful candidate.

A bond and disposition dated at Cantray, 12th February 1653-4, and witnessed by Robert Dunbar in Dalchouse and John Carlyle in Calliecantray [*sic*], the writer of the deed, sets forth that: David Ross of Home for as much as the deceased John Ross of Holme, by disposition dated at Elgin 22nd May 1608, sold to the deceased Sir John Campbell of Calder the town and lands of Croy, with the brewhouse and brewhouse croft thereof and pertinents in the barony of Ardelach, to be holden upon the conditions and provisions contained in the securities made thereupon, the said deceased Sir John Campbell did sell and dispone to Alexander Dollas

fiar of Cantray, his heirs-male and assignees 'to be holden upon the conditions reservations provisions and for payment as is contained in the security made thereupon

and for certain onerous causes and for and in corroboration and strengthening to the foresaid disposition of the lands with the pertinents thereof lyand as said is Witt ye me the said David Ross to have renounced quitclaimed and simpliciter discharged the said David Ross [*sic*] likeas I by thir presents quitclaim and simpliciter discharge analzie and dispone of and from me and my heirs and successors to and in favours of the said Alexander Dollas his heirs and foresaids all and haill whatsomever right title and interest action petitor and possessor, property and possession whilks I my deceased father predecessors and authors had have or any manner of way whatsomever may claim or pretend in and to the foresaid town and lands of Croy,' and he accordingly promises never to acclaim any right thereto. (Registered 5th January 1728 in *Reg. Deeds*, Mackenzie, cxliii.)

The lands of Galcantray were purchased with Budgate from William Dallas of Budgate in 1623 by John Campbell of Cawdor. They were bestowed upon Colin Campbell, the 'tutor' of Cawdor, and passed to his son Hugh Campbell, who afterwards succeeded to the 'thanedom' of Cawdor. By him they were feued to Mr. Alexander Dallas, apparent of Budgate, from whose heirs they were adjudged by two decrees of adjudication in 1652 and 1653. These apprisings were purchased by the fiar of Cantray, who then charged Sir Hugh Campbell, now of Cawdor, and superior of these lands, with horning to enter him as their owner. There followed a charter by Sir Hugh Campbell of Calder in favour of Alexander Dollas, fiar of Cantray, of the town and lands of Nether Galcantray with the miln and miln lands thereof, multures, sequels, and pertinents of the same, and the town and lands of Over Galcantray with houses, biggings, etc.,

also of the salmon fishings on the river of Nairn, which on 18th August 1652 Mr. John Dollas, preacher at Tain, apprised from John Dallas, now deceased, the son and lawful heir in special of the deceased Mr. Alexander Dollas of Galcantray. This charter, which also confirms certain rights and titles of the lands of Cantraylees, Cantrayfries, and Drummorie, is dated 23rd February 1664. (*Cantray Chart.*) Sasine, dated 13th March 1665, was given to Alexander Stewart in Croy, as attorney for the fiar, Hugh Dollas in Cantray acting as bailie. (*Ibid.*)

On 29th July 1665 an action was brought by Alexander Dollas, fiar of Cantra, against Alexander Ross of Holme and others his tenants, for molesting him and his tenants in their use of the moors and mosses of the lands of Drumurney, and as the defenders did not appear, the Lords of Council and Session granted a decree for citing witnesses to prove the pursuer's case. (*Decrees, Court of Sess., Mackenzie's Office, p. 125, No. 18.*)

It would appear that the fiar was not without financial troubles, and had been forced to borrow money, for on 25th July 1671 there is horning at the instance of James Ross, brother german to Mr. Hugh Ross, minister at Nairn, narrating that Alexander Dollas, fiar of Cantrey, as principal and Hugh Campbell of Little Budzeit and the deceased James Adamson then in Budzeit, by bond dated 19th and 30th June 1662, obliged themselves to pay to the deceased Alexander Dollas in Galcantray and John Dollas, burgess of Nairn, his son, at Whitsunday 1663 a sum of 2000 merks with other 500 merks of expenses in case of failure, and due interest thereof, which bond is registered in the Sheriff Court Books of Nairn 10th April 1671, and decree upon which charge was given to the said Alexander Dollas and Hugh Campbell to pay the same, the said John Dollas having assigned on 8th April 1671 to the said James Ross. (*Reg. Decrees, Commiss. Moray, N.S., vii.*) Notwithstanding this decret, the debt

was not paid, and, as will be presently seen, the fiar's son was pursued upon the same bond.

Immediately on his father's death Alexander Dallas, now of Cantray, made provision for his younger children. By bond dated at Meikle Geddes 16th November 1671 he provided a sum of 3000 merks amongst them, Hugh, John, Elizabeth, Marjorie, and Christian, namely, the said two boys to the sum of £1000 proportionally, and the said three lasses to the sum of £1000 proportionally, as their patrimony and bairns' part, in security whereof he infefts them in the wester half of the lands of Calcantra with the mill and pertinents in the parish of Croy, reserving to Christian Dunbar, his spouse, her liferent thereof. Sasine was given on 27th December following. (*Reg. Sas.*, Inverness, iv. fol. 120, v. fol. 200.)

Alexander Dallas was in possession of the estates for little more than a year, and his death is recorded in the 'Diary of Alexander Brodie' on 20th December 1672: 'I heard of the death of yong Cantra, and desired to be affected with it, so soon after his father. : . : He is as yong as I am or thereby. Shal I not tak warning?' Brodie was born 25th July 1617.

By his wife, Christian, eldest daughter of Ninian Dunbar of Grangehill, he had issue: Alexander, his successor; Hugh, ancestor of DALLAS OF PETSAL; John, ancestor of DALLAS OF INVERNESS or EDINBURGH; and three daughters, Elizabeth, Marjorie, and Christian, all mentioned in their father's bond of provision.

ELIZABETH, or ELSPET, appears to be identical with Elizabeth Dallace who in December 1674 was contracted with James Mackqueene, eldest son to Duncan Mackqueene of Raackmore (*Sess. Book*, Petty), and is mentioned in Fraser-Mackintosh's account of the Macqueens in his *Minor Septs of Clan Chattan* (p. 78).

MARJORIE became the wife of Thomas Dunbar, merchant in Forres, before 25th February 1684, when their daughter Margaret was baptized. (*Par. Reg.*, Forres.) She, with consent of Thomas Dunbar, her husband, on . . . appointed her mother and her heirs to her share of 500 merks, derived from her father's provision. (*Reg. Sas.*, Inverness, v. fol. 394.) Thomas Dunbar, her husband, died before 15th February 1691, when their two posthumous sons, David (or Alexander : *Par. Reg.*, Forres) and Thomas, were baptized. (*Par. Reg.*, Rafford.) The date of her death is not known.

CHRISTIAN was married to Ludovick Tulloch. There is a discharge and renunciation by Christian Dallas, lawful daughter to the deceased Alexander Dallas of Cantra, and spouse of Ludovick Tulloch, brother german to Alexander Tulloch of Tanachie, and he consenting, narrating her father's bond of provision, and referring to her own contract of marriage, which was made with consent of Alexander Dallas, now of Cantra, her eldest brother, who bound himself to pay to her and her said husband 500 merks, and this having now been paid by him, they discharge him thereof. The discharge, which is written by John Dallas, lawful son to Hugh Dallas, Commissary Clerk of Ross, is dated at Fortrose, 15th January 1683, and as the lady cannot write, she signs by a notary. (*Reg. Sas.*, Inverness, v. fol. 200.)

## ALEXANDER DALLAS IV. OF CANTRAY

ALEXANDER DALLAS OF CANTRAY, who succeeded his father in 1672, was probably born about 1645. He appears to have been early involved in financial troubles, and in 1682 is found parting with the lands of Galcantray, which had been acquired by his father. There is recorded on 4th September 1682, registration by Mr. William Dollas, writer in Edinburgh, of sasine, dated 12th August 1682, by Alexander Dollas in Budzett, as bailie of Alexander Dollas of Cantra, to Hugh Dollas of Budzeat on a contract between them dated '30th August last,' whereby Alexander Dollas disposed to Hugh Dollas the lands of Over and Nether Galcantra as these had been formerly possessed by the said Hugh's deceased father and brethren and their predecessors. Mr. John Dollas, Dean of Ross, is a witness to the disposition, and sasine is given in presence of Charles Dollas, lawful son to Mr. John Dollas, Dean of Ross, John Dollas, writer in Fortrose, and others. (*Gen. Reg. Sas.*, Edin., xlvii. fol. 290.)

Further light is thrown upon these transactions by a summons of 7th November 1682 at the instance of Hugh Dollas, commissary clerk of Ross, narrating that Alexander Dallas, now of Cantray, by his bond of corroboration, dated 15th October 1678, confirmed a bond granted by his deceased father Alexander Dollas of Cantray as principal, with Hugh Campbell of Little Budzet and James Adamson in Budzet as cautioners, dated 19th and 30th June 1662, wherein they are obliged to pay 2000 merks to the deceased Alexander Dollas therein designed his uncle and John Dollas his son. This John Dollas on 2nd February 1672, when he is designed

merchant in Nairn, with consent of his trustee James Rose, brother german to Mr. Hugh Rose, minister at Nairn, assigns the said bond to the pursuer. Moreover, the said deceased Alexander Dollas on 17th October 1671 granted bond for 900 merks to William Campbell in Budzet and Rachael Campbell, his spouse, and this, with some other bonds, are likewise assigned. But the said Alexander Dollas, now of Cantray, refuses payment.

Now his father at the time of his death was possessed of the lands of Croy held from Colin, Bishop of Moray, and of the lands of Over and Nether Galcantray, Cantrayfries and Cantrayleis, and Drummair, held of Sir Hugh Campbell of Calder. In these defender might have been infeft as heir of his father, but he delays entry. The sums addebted, besides interest and penalties, amount to £2024, and the defender is ordained to produce his titles, so that, according to law, such a portion of his lands may be set aside as shall meet the said debt.

This is followed by an order, dated 16th January 1683, to the Bishop of Moray and Sir Hugh Campbell of Calder to infeft Hew Dollas, commissary clerk of Ross, in the lands of Over and Nether Galcantray, Cantrafries, Cantraleis, Drummair, and Croy, with the pertinents, adjudged from Alexander Dollas, now of Cantray [*written* Calder], as charged to enter heir to the deceased Alexander Dollas of Cantray [*written* Calder], his father, for a debt of £2909, 14s. 8d., dated 20th December 1682. (*Gen. Reg. Adjudic.*, xxvii.)

The claim on the old Cantray lands appears to have been abandoned on 3rd March 1683. There is a disposition by Alexander Dollas of Cantray, eldest lawful son and heir of the deceased Alexander Dollas of Cantray, whereby he acknowledges himself to be addebted to Hugh Dollas, commissary clerk of Ross, in the sum of £2024, for which he has wadset to him his lands of Over and Nether Galcantra, and that now having further received what makes up the full value of these lands, he disposes them to the said Hugh Dollas

irredeemably. The disposition, which is dated at Ardersier, mentions that these lands were formerly in the hands of the deceased William Dollas of Budzet, father of Hugh Dollas, and of Mr. Alexander Dollas and Mr. John Dollas, his elder brothers, and is witnessed by Mr. John Dollas, Dean of Ross, Hugh Dollas of Breachley, and John Dollas, lawful son of the said Hugh Dollas. (*Cantray Chart.*) Apparently the subsequent sasine of these lands was given in order to facilitate the making up of the title. It is a sasine, dated 21st May 1683, given by Alexander Dollas in Budzett as bailie to John Dollas in Newtoun as attorney of Alexander Dollas, now of Cantra, proceeding upon a precept of *clare constat* by Sir Hugh Campbell of Calder in favour of the said Alexander Dollas as son and heir of the deceased Alexander Dollas of Cantra in the lands of Over and Nether Galcantra, which lands were held of the said superior in feu for the annual payment of 24 merks with duplication at the entry of heirs. The precept is dated at Calder, 19th May 1683, one of the witnesses being Hugh Dollas of Breachley, who, together with Mr. Hugh Dollas, lawful son of Mr. John Dollas, Dean of Ross, is also a witness to the sasine. (*Reg. Sas.*, Inverness, v. fol. 214.)

As a set-off to the loss of Galcantray is a discharge and renunciation, dated at Ardersier 27th January 1683, by Duncan M'Pherson, *alias* Mackturich, now in Cantra, formerly in Dalnoce, narrating that on 10th June 1671, Alexander Dollas of Cantra, now deceased, wadset to him for 2000 merks his lands of Cantrafris, and also that piece of land called the Tounge, and moss and muir thereof, which formerly pertained to Galcantra, and who was infeft therein on 17th June 1671, and now Alexander Dollas, now of Cantra, his son and heir, having paid the said sum, he discharges him thereof and renounces the said lands in his favour. Among the witnesses are Hugh Dollas of Breachley and John Dollas, lawful son to Hugh Dollas, commissary clerk of Ross. (*Reg. Sas.*, Inverness, v. fol. 201.)



In the following year, doubtless in anticipation of his marriage, we find the laird consolidating his rights by Crown charter. On 19th December 1684, there is a charter by King Charles II. confirming a charter dated at Edinburgh, 28th March 1636, by John Campbell, fiar of Calder, to the deceased William Dollas of Cantray, grandfather of the said Alexander Dollas, now of Cantray, in liferent, and to the deceased Alexander Dollas of Cantray, father of the said Alexander, his eldest lawful son procreat betwixt him and the deceased Janet Campbell, his spouse, in fee of the lands of Cantrayfries and Drummoir, etc., in the barony of Strathnairn and shire of Inverness; and confirming also a charter, dated 12th September 1651, by the deceased John Campbell of Calder as superior, with consent of George Campbell, his brother, and tutor to the said William Dollas, in liferent, and the said deceased Alexander Dollas, his eldest son, in fee of the lands above-mentioned; as also a charter of confirmation thereof by Sir Hugh Campbell, now of Calder, to the said deceased Alexander Dollas and his 'heirs and assignees therein specified,' dated 23rd February 1664; and confirming also a contract of wadset by Sir Hugh Campbell of Calder to Hugh Dallas, lawful son of the said deceased William Dollas of Cantray, dated 23rd March 1681, whereby, for the sum of 4000 merks, he disposed to him the lands of Bracklay, commonly called Calder's Bracklay, with the pendicle called Bellilaggan; and a disposition thereof by the said Hugh Dollas to the said Alexander Dollas, now of Cantray, dated 17th October 'last.' (*Cantray Chart.*)

It is impossible to resist the conclusion that the laird's somewhat tardy marriage was influenced by his financial obligations to this future father-in-law. Of his marriage contract it seems interesting to give somewhat full details, though much of the verbiage is purely formal. It is dated at Fortross, 29th December 1684, and is between Alexander Dollas of Cantray and Christian Dallas, eldest lawful daughter

of Hugh Dallas of Budgate, with consent of the latter, whereby Alexander Dallas binds himself and his heirs to infeft and sease by liferent charter and sasine the said Christian Dallas during all the days of her life in all and haill his town and kirk lands of Croy, with the alehouse and alehouse croft thereof, haill houses, biggings, parts, pendicles, pertinents, etc., of the same. Also in all and haill the town and lands of Cantrafreish, etc., together with the teinds great and small, parsonage and vicarage of both Croy and Cantrafreish included, with stock, and not to separate therefrom during the said space, and all at the fee and effectual rent of five chalders of victual. He further binds himself and his heirs to make the principal dwelling-house of Cantrafreish and the small office house adjacent thereto sufficiently habitable for his aforesaid affidate spouse to enter and dwell therein in case she should be the longest liver, and because these lands were then held in liferent by Christian Dunbar, his mother, he binds himself and his heirs to pay to Christian Dallas, should she outlive him, during the lifetime of Christian Dunbar, fourscore bolls of victual, 'twa pairts bear merchants wair and third pairt good oat ferm meal,' yearly; and it is not to be in the power of Christian Dallas to resign any part of the said liferent to her husband or any other person without the consent of Hugh Dallas, of George Dallas of St. Martins, failing whom by death without consent in writing of Hugh Dallas's two eldest sons for the time being. The eldest son and heir of the marriage is to be infeft in the lands of Cantrafreish, Cantraleish, Drumoir and Croy, with their respective towers, fortalices, etc. If there be an only daughter of the marriage, she is to be provided for in 3500 merks; if two, three, or more, the sum of 5000 merks is to be divided between them. Hugh Dallas of Budget gives as tocher 3500 merks with the said Christian in full satisfaction of all other portion she can pretend right to through the death of the said Hugh Dallas or of Christian Lauder, his spouse. And it is declared and agreed upon that

all execution necessary shall pass hereupon at the instance of the said Hugh Dallas, Mr. William, John, and Mr. Robert Dallas, his sons, Mr. John and William Dallas, sons to the Dean of Ross, the said George Dallas of St. Martins and James Dallas, his son. The contract, written by Thomas Gair in Fortross, is witnessed by William Dallas, merchant in Inverness, Hugh Dallas of Breachlay, Alex'r Macra and Donald Rioch in Fortross and the said Thomas Gair and Ludovick Tulloch, brother of Tanuachy. (*Rose Coll.*) Sasine was given 24th June 1685, by Mr. Hugh Dallas, student of divinity, lawful son of Mr. John Dallas, Dean of Ross, as bailie to Hugh Dallas of Budzeat, as attorney for Christian Dallas, and is witnessed by John Dallas. (*Cantray Chart.*)

The laird must at this time have been sorely troubled to find the 'bairns' parts' provided by his father for his younger children. There are two discharges with reference to these, dated at Cantra, 8th December 1686, and witnessed by John Dallas, notary public in Fortrose, and John Dallas, son of John Dallas M'Phadrack in Cantra. One by Hugh Dallas, 'second lawful son' of the deceased Alexander Dallas of Cantray, narrates that his sister Marjorie, with consent of her husband, Thomas Dunbar, had appointed her mother, Christian Dunbar, to her share of 500 merks, and that the said Christian Dunbar on . . . 168 . . . assigned the said sum to her son Hugh, whereby he has right not only to his own portion, but also to that of his sister Marjorie. And now seeing Alexander Dallas, now of Cantra, 'my elder brother and sone and aire of our said deceist father,' has paid to him 1250 merks, he grants discharge thereof and renounces the lands assigned as security. (*Reg. Sas.*, Inverness, v. fol. 394.) The other, by Elspet Dallas, acknowledges the payment of her share of 500 merks and grants a similar discharge. (*Ibid.*, 395.)

Next year, 15th January 1687, the laird was one of the witnesses of the marriage contract of his wife's niece Mary, daughter of James Dallas of Kirkmichael (*Rec. Sheriff Court*,

Nairn, 28th Jan. 1687); and in the account of 'Valued Rent of Inverness-shire, 14th May 1691,' the lands of Alexander Dallas of Cantray and of his mother, in the parish of Croy, are valued at £448 Scots. (C. Fraser-Mackintosh.)

Alexander Dallas died in June 1693 (*Cantray Chart.*, 28), leaving a family of (at least) five young children: William, his heir, John, Alexander, Christian, and Liliash. His widow became the second wife of Lachlan Mackintosh of Strone.

JOHN DALLAS, the second son, appears in a deed recorded at Inverness, 14th November 1734, as follows:—

'Be it kend to all men be thir present Letters, me John Dallas second lawful son procreate betwixt the deceased Alexander Dallas of Cantra and Christian Dallas his spouse and my mother, and me brother german to William Dallas now of Cantra to have (at the term of Whitsunday last now be it of this date) received from the said William Dallas of Cantra all and heall the sum of 500 merks Scots money in name of portion natural and bairns pairt of gear furth off (and without any destination premonition or appointment be my said father) his heretable and moveable goods, gear interests voluntarily given and bestowed be the said William Dallas in his naturall affection and good will to me, holding me therewith well content and satisfied renouncing the exceptions of not numerat money oath of party and all other exceptions and objections of the Laws, etc. In witness whereof I have subscribed thir presents written be John Dallas of Bannance my uncle att Cantra the third day of October 1713 years before these witnesses; Mr. Hugh Dallas schoolmaster in Bellafreishe and John Dallas in Galcantra. Sic sub<sup>r</sup> John Dallas. Hu. Dallas witness. Jo. Dallas witness.' (*Sheriff Court Deeds*, Inverness.)

This John is probably identical with John Dallas in the parish of Calder who, on 17th November 1725, was regularly married to Mary Campbell of the same parish, the witnesses

being Sir Archibald Campbell of Clunes and William Dallas of Cantray. To them a son was born on the 14th September and baptized by the name of Archibald on 16th September 1726 at Cawdor, Sir Archibald Campbell of Clunes and Lachlan Mackintosh of Strone being witnesses. (*Par Reg.*, Cawdor.) They have not, however, been traced further.

ALEXANDER DALLAS, the third (?) son, appears somewhat discredibly in the records of the kirk session of Croy, yet, as affording some intimate evidence of the life of the times, the particulars may be admitted here. On 7th March 1719, Catherine Fraser in Croy is delated with Alexander Dallas, brother german to Cantra, and on 14th March, 'Compeared Katherin Fraser and confessed herself guilty with Alex<sup>r</sup> Dallas Brother german to Cantray: the Session finding this to be her trelapse did refer her to the Presbytery of Inverness for censure.' Alexander Dallas also compeared and confessed, and was ordered to appear next Lord's Day before Congregation.

On 31st May Alexander Dallas gives his bill for his penalty to the session clerk (*Sess. Rec.*, Croy), but the money was not paid, and on 17th June 1720 Alexander Rose, schoolmaster of Croy, sues him for £8, the amount of his bill. (*Sheriff Court Bks.*, Inverness.) Another year passed, and on 4th June 1721, 'the Minister represents that he caused protest and registrate Alex<sup>r</sup> Dallas brother german to Cantray his Bill for his Penalty containing £8 Scots for which he paid half-a-crown.' The matter dragged on from year to year, and on 26th October 1730 the minister reported having paid £20, 16s. Scots for the protestation and registration of Daltulich, Culmony, and Alex<sup>r</sup> Dallas Cantray's brother their bills. Finally, on 21st December 1746, we have: 'To received as Alex<sup>r</sup> Dallas Fine £9,' so that for twenty-eight years the penalty was hanging over the culprit's head—a sure sign, apparently, that he remained unmarried. In the Sheriff

Court record already cited he is styled 'glover in Croy,' and nothing further is known of him.

CHRISTIAN DALLAS, the eldest daughter, was married to John M'Lean of Dochgarroch, on 6th January 1710. (*Inverness Parish Register*.) The marriage contract, dated at Cantray, 13th January 1710, between John M'Lean of Davochgarrioch and Christian Dallas, eldest lawful daughter of the deceased Alexander Dallas of Cantray, with consent of William Dallas, now of Cantray, her brother german, provides a tocher of 2000 merks to be paid by the said William Dallas and his heirs, and the said John M'Lean obliges himself to provide a sum of £3000 Scots in liferent to his 'promised spouse,' secured over his town and lands of Davochnalurgan and mill thereof commonly called the mill of Davochgarrioch. In the event of there being no heir-male, provision is made for the daughters of the marriage, and a sum of 3000 merks is to be divided amongst them, by the advice of Alexander and Donald M'Leans, brethren german to the said John, on his side, and William Dallas of Cantray, John Dallas of Bannans, and Mr. William Dallas of Budzett as friends on Christian's side. The contract is written by Thomas Fraser, writer in Inverness, and witnessed by Lachlan Mackintosh of Stroan, Collin Campbell, younger of Delnies, John M'Lean, John, son, burgess of Inverness, Alexander M'Lean, writer there, John Dallas in Gallcantray, and the said Thomas Fraser. This John M'Lean was son of John M'Lean who fought at Killiecrankie, and, following his father's example, took an active part on behalf of the Stuarts in 1715, serving as captain in the Clan Chattan regiment. He was succeeded by his son Charles Maclean, for some time an officer in the 'Black Watch.'

LILLAS DALLAS, the second daughter, is so described in her discharge to William Dallas, her brother german, who has

‘of mere favour to me and in compassion of my circumstances having been destitute of any provision or sustenance by my father, who by reason of the debts he stood engaged in, was not in the condition to provide his younger children, granted a Bond of me of the date of these presents for the sum of 500 merks Scots money payable at Martinmas next with 100 merks of penalty and annual Rent from Martinmas last.’ The discharge is dated at Edinburgh, 8th January 1728. (*Reg. Deeds*, Mackenzie’s Office, vol. cxliii.) The fate of this lady has not transpired, but the burial of a Lilius Dallas, aged sixty or thereby, is recorded in the Canongate burial register on 9th February 1738.

### WILLIAM DALLAS III. OF CANTRAY

WILLIAM DALLAS OF CANTRAY cannot have been more than seven years of age when he succeeded his father in June 1693. He first appears in 1700, when he is recorded as a student of Marischal College, where he must have remained a considerable time, for in 1707 there is a discharge from which the following brief extracts are taken :—

‘ I William Dallas, minor, of Cantray . . . to John Dallas of Bannans my uncle and curator for Seven libs. threteen shillings Scots as pryce of four elnes and ane quarter of cloathe reed. by me . . . item £30 . . . given be Robert Rose, Sackie, Baillie of Inverness, when I was going to Aberdeen College . . . and £8 14sh. he sent me to Aberdeen . . . I got . . . in sumer . . . 10 bolls . . . for some Colledge and regent dues ther . . . 8 bolls 2 firlots . . . for my maintenance before my going to y<sup>e</sup> Colledge . . . 10 merks 5 sh. payed to me in my south going to Edin<sup>r</sup> for my further education . . . 35 bolls ferme victual . . . for education and subsistance at Ed<sup>r</sup> . . . half boll to y<sup>e</sup> taylor. . . . Written be William Dallas son to Hugh Dallas of Breacklie.’ (Macgill, *Old Ross-shire*, 155.)

Another paper gives the fiars’ price for 1706 at £2, so that the whole works out at close on £200 Scots for a young laird’s year, of which education takes £20 at Aberdeen, and some of the £70 in Edinburgh. (*Ibid.*) Whether he proceeded to a degree does not appear.

In 1712 the young laird married Isobel Dallas, eldest lawful daughter to Mr. James Dallas, eldest lawful son of the deceased George Dallas of St. Martins, with her said father’s



consent, the contract being dated 22nd September 1712 ; and on 4th November 1718 he was retoured as heir-male special to his father in the lands of Croy.

In the session minutes of Croy there is a most interesting account of the partition of the floor of the parish kirk amongst the heritors. On 29th October 1720, there compeared the Laird of Kilraick, William Dallas of Cantray, William Fraser of Daltulich, and Hugh Fraser younger of Daltulich, Bailie John Rose of Newton, commissioned by Hugh Rose of Clava, and Bailie John Shaw, commissioned by the Laird of Mackintosh, and these ' signified their willingness to have the church divided among the several heritors according to their real rents.' The record is far too long for quotation here, but amongst other things they agreed ' that said Cantray should have for his proportion that part of the church which lyes between the pend of the Isle of his burial and the seat of the Communion Table and forms opposite the pulpit, with power to him to put seats in the place of the Communion table, leaving a sufficient passage, but to remove them in the time of the administration of the Lord's Supper.' (*Sess. Rec.*, Croy, vol. ii.) Needless to say, no signs now remain in the church of the burial place here mentioned.

A precept of *clare constat*, dated at Edinburgh, 16th November 1723, was granted by Sir James Campbell of Auchinbreck and others as commissioners of John Campbell of Calder, in favour of William Dallas of Cantray, as nearest heir-male of the deceased Alexander Dallas of Cantrey, his grandfather, in the lands of Cantrayleis and Drummoir (*Cantray Chart.*), and to the sasine following on 5th December 1723, James Dallas in Galcantra is a witness, Mr. Hugh Dallas being notary. (*Reg. Sas.*, Inverness, viii. fol. 161.) There is recorded another sasine dated 17th August 1724, in terms of a precept from Chancery dated at Edinburgh, 3rd July 1724, which states that the late Alexander Dallas of Cantra, father of William Dallas, now of Cantra, bearer

of these presents, died last vest and seased in the lands of Croy: one of the witnesses is James Dallas, indweller in Galcantray. (*Cantray Chart.*)

The laird had for many years neglected to make provision for his wife, as contemplated in his contract of marriage, but on 12th September 1724 sasine was given to Isobel Dallas, spouse to William Dallas of Cantray, in terms of a disposition by him to her in fulfilment of their contract of marriage, whereby he disposes to her in liferent the lands of Cantrey, Ballafreis, Croy, and Drummair, which is to be void if she marry again after his death. Reservation is also made of the liferent of Christian Dallas, his mother. The disposition is dated at Cantray also on 12th September 1724, and is witnessed by John Dallas, son to Bessie Dallas in Galcantra, James Dallas there, and Hugh Dallas, Town Clerk of Fortrose, while to the sasine the same John and James Dallas, and William Dallas of Cantray himself, are witnesses. (*Reg. Sas.*, Inverness, viii. fol. 196.)

Between the years 1714 and 1725 there are a large number of protests and inhibitions against the laird, always with relation to small sums. One, of 30th July 1714, is interesting as being at the instance of William Duff of Dipple, the amount in question being the trifling sum of £27, 15s. 7d. ; and another, dated 10th July 1723, by Angus M'Intosh of Culilachy, is for 'quantity of fifty boals good and sufficient well winewed and dight bear of the growth of the lands of Cantray.' But generally the proceedings are entirely wanting in interest.

The latest notice of the laird which has been met with is 4th March 1736, when he was one of the witnesses of the baptism of a child of Robert Mackintosh, son (by a first marriage) of Lachlan Mackintosh of Strone, whose second wife was Christian Dallas, the laird's mother.

From the retour of service of his son, it appears that William Dallas died in December 1737. By Isobel Dallas, his wife, he had, probably with other issue, three sons—James

his heir ; William, who is mentioned, in conjunction with his elder brother James, in a 'decreet arbitral' of 1st May 1738, of whom nothing further is known ; and Walter ; and two daughters—Anne, spouse of Duncan Mackintosh of Castle Leather, ancestor of The Mackintosh ; and Isobel, married to Angus Shaw of Tordarroch, ancestor of Alexander Mackintosh Mackintosh (*né* Shaw), the talented historian of Clan Chattan.

WALTER DALLAS, the youngest son, has not been discovered in any original records as the son of William Dallas of Cantray, and his identification rests upon a written statement of the late Charles Fraser-Mackintosh of Drummond, to the effect that he possessed documentary evidence of his parentage. He was born about the year 1719, and on 17th November 1759, when he is described as weaver in Nairn, he was contracted with Jean Dallas 'in Delnies,' daughter of Alexander Dallas in Forres (see DALLAS OF PETSAL), who, after 'having been thrice proclaimed, were married' at Nairn. On 21st September 1767 there is recorded a disposition to Walter Dallas, manufacturer and stamp master in Nairn, and Jean Dallas, his spouse, by Hugh Falconer, merchant in Nairn, of certain land for which a ground annual of ten shillings is to be paid, and in consideration of this conveyance Walter Dallas binds himself to erect a dwelling-house upon the land ; the witnesses are Alexander Rose, cooper in Nairn, and James Smith, mason in Lethen. (*Reg. Sas.*, vol. iii.) During the years 1773 to 1775 he was a member of the Town Council of Nairn. His death took place there on 20th August 1804, at the age of eighty-five years : he is described as for 'many years Stamp-master of that county ; a man of a most pious and exemplary life, and who truly merited the character of a "Nathaniel without guile."' (*Times*, 28th Aug. 1804.) He had the following children :—

1. William, baptized at Nairn, 1st September 1761, William Dallas of Cantray being one of the witnesses. He died in Jamaica, without issue.

2. Alexander, baptized at Nairn, 13th December 1762, Miss Bell Dallas being one of the witnesses. He was for a time a merchant in Great Tower Hill, London, and in the *London Directory* of 1799, 1800, he is styled 'merchant, Wapping.' He married Ophelia Cordelia, daughter of John Phipps of Great Marlow, Bucks, solicitor, and retiring on very limited means, he died at Nairn on 9th January 1849, leaving an only daughter, Elizabeth Jane Dallas, who was born about 1805, and died at 12 Church Street, Nairn, probably in the house built by her grandfather on the land acquired in 1767, on 2nd November 1890, and was buried at Croy. 'For some years back the deceased lady had been afflicted with blindness and great weakness, and had ceased to occupy the prominent position which she once did in Nairn. . . . On settling in Nairn, both her father and she took a leading part in this district at the time of the Disruption, and were on intimate terms with Dr. Chalmers, Dr. Candlish, and other leaders of the Free Church. . . . She was held in very high respect in Nairn. A gentlewoman of great intelligence and wonderful memory, she was the great authority on all matters of family history and traditions in the district in which she lived, and will long be remembered as a quaint, interesting personage in Nairn.' (*Nairnsh. Telegr.*, 5th Nov. 1890.)
3. John, born 27th, baptized 29th November 1765, at Nairn, Isabel Dallas being one of the witnesses. He died abroad, without issue.
4. James, born 10th, baptized 12th August 1768. He died at Nairn, without issue.

## JAMES DALLAS OF CANTRAY

JAMES DALLAS OF CANTRAY was, it may be fairly assumed, his father's eldest son, named after his maternal grandfather, and was probably born about the year 1715. He was as a youth, 26th January 1730, one of the witnesses to the baptism, at Inverness, of James, the infant son of Lachlan Dallas in Inverness; and in 1737 he succeeded to the paternal estates. On 11th November 1738, John Hay, W.S., as commissioner for John Campbell of Calder, issued a precept of *clare constat* for infefting him in the lands of Cantray, as heir of William Dallas, his father, sasine following on 21st June 1739 (*Cantray Chart.*), and his retour as heir-male special to his father in the lands of Croy is dated 14th August 1739. (*Ibid.*)

Disputes as to marches having arisen between Cantray and Clava, there is recorded, 13th September 1739, by Alexander Clark, writer, for James Dallas of Cantray, and by John M'Bean, writer, for Evan Baillie and Alexander Munro, arbiters, submission and decreet arbitral between Hugh Rose younger of Clava for himself and Lachlan Forbes, son to William Forbes in Dalegramich on one part, and James Dallas of Cantray for himself and as burden-taker for William Dallas, his brother german, and John Dallas, shoemaker in Cantray, as to the marches and boundaries of their respective lands and properties within the shires of Inverness and Nairn, and also the criminal indictment returned in the Porteous Roll of the said shire of Inverness at the instance of His Majesty's Advocate and the said Lachlan Forbes and the said William Dallas. After certain findings as to the marches, the arbiters adjudge James Dallas liable in £196 Scots of expenses to Hugh Rose,

but though the decret covers the criminal charge, there is unfortunately no light thrown upon its nature. (*Rec.*, Inverness.)

The lands of Galcantray, anciently a part of the patrimony of the Dallases of Budgate, had, as has been shown, been held for a few years by Alexander Dallas of Cantray, who in 1683 disposed them to Hugh Dallas of Budgate. They were now again by disposition, dated 26th-29th June 1743, conveyed to James Dallas of Cantray by Hugh Dallas of Bannans, the grandson of Hugh Dallas of Budgate; this disposition will be referred to more fully later. It was followed on 28th July 1744 by a charter by the commissioners of John Campbell of Cawdor in favour of James Dallas of Cantray, proceeding upon a decret of adjudication obtained by Hugh Dallas of Bannans against William Dallas, W.S., as lawfully charged to enter heir to his father, Hugh Dallas of Budgate. The acquisition of these lands led to difficulties with the Laird of Cawdor, 'the over-lord and superior,' for no sooner had he been put in possession than he began to make encroachments upon the moorland between Galcantray and Budgate, the latter being held in wadset by Sir Archibald Campbell of Clunes. He convened the tenant of Galcantray, Hector M'Intosh, in a process of molestation, intrusion, and damages, at Nairn in February 1744, and cited seven witnesses, of whom two were John M'Bain in Dallaschyle, aged fifty-eight, and Alexander M'Gilavrey, 'Waterside,' aged between fifty and sixty, who was born in Budgate; and their evidence was to the effect that the moor had to be used as common property by the tenants of Budgate and Galcantray. Decree was accordingly obtained against Hector M'Intosh, the tenant. A letter addressed by James Dallas to Cawdor's factor is perhaps worth quotation, as an indication of his intentions with regard to the moor; it is dated 24th April 1744:—

'SIR,—As I had always reason to believe you my friend

whenever I stood in need, besides a relation, I now propose to sow the Burntlands, and I hope you will not interfere so as to prejudice my interest. The tenants of Budgate, although this be sown, if they keep from the spot, cannot lose anything as the muirs will not be stopped them more than ever. And although the wadsetters' representatives should incline to trouble I'd rather have to do with them in a law plea than my cousin and Calder's factor. The note of the charter is not the same with the copy I have, as you'll see at meeting. Your answer is expected by, dear Cousin,—Yours affectionately,

‘JAMES DALLAS.’

Unfortunately the factor's name does not transpire.

There is but little more to be recorded of James Dallas. It may be supposed that he had in view his service with the young Chevalier when, on 9th November 1745, he gave a bond, dated at Breachly, for £30, his cautioner being Hugh Dallas, tacksman of Croy. (*Commis. Crt. Deed*, Inverness.) But he did not at once take part in the Rebellion, and certainly did not accompany the young Prince to Edinburgh and the south. He attached himself to the Mackintosh Clan Regiment, being appointed one of the six captains, his cousin Donald Dallas acting as his lieutenant. He probably took up arms at the end of 1745, and was one of the 700 or 800 gallant recruits who welcomed the Prince's return in January 1746, but there is no record of his occupation until the eventful day of Culloden, when he led his company against the forces of the Duke of Cumberland. It is needless here to give any circumstantial account of the engagement. ‘The brunt of the battle,’ wrote John Hossack, ex-Provost of Inverness, ‘fell on Clan Chattan,’ and at its close only five of the twenty-one officers of the regiment survived to tell the tale. James Dallas is said to have been one of the first to fall, and he appears to have been buried on the field, though his body was afterwards disinterred in order to give it Christian burial.

In the *Jacobite Memoirs* occurs a list of questions addressed to the Rev. Mr. James Hay, a Jacobite minister in Inverness, one of which runs thus: 'Can you give me the name of that man whose body was taken up twenty days after being covered, and the name of that man whose body was taken up twenty-eight days after being covered, both which bodies were without any corruption or smell in the least?' To which Mr. Hay made reply: 'The gentleman whose body was taken up after it was covered with a little earth was James Dallas of Cantray, a loyall, kind, brave young man, who rais'd his company at a great expense to serve his royall master. . . . The other was Alexander M'Gillevry of Dunmaglass, who was more than six weeks unburied, and without smell. . . . Had all acted the part that these two gallant young gentlemen did with Gallish M'Bain, major, Angus M'Intosh of Far, Alexander M'Gillevry, and Robert M'Gillevry, all three captains (who fell upon the field), the rest of that clan with some others, that day would have brought forth other things than it did.' (*The Lyon in Mourning* (Scottish History Society), iii. 53, 55.)

His testament dative, which records that he died 16th April 1746, was given up by Margaret Hamilton, his relict, and executrix dative decerned to him. The amount of the inventory is not given, but a debt of 120 merks is mentioned as contained in a bill drawn by James Dallas and accepted by Alexander M'Gilliwray of Dunmaglas, payable at Martinmas 1745. The testament was confirmed 13th August 1747, Donald Dallas at Cantray being cautioner. (*Commis. Inverness, Test.*, v. p. 164.)

The parentage of his wife, Margaret Hamilton, who was still living 1st April 1768, is not known. By her he had issue: (1) William, his heir; (1) Isabel, living 1st April 1768; (2) Ann, living 1st April 1768; (3) Katherine, living 1st April 1768; (4) Margaret, living 1st April 1768.



## WILLIAM DALLAS IV. OF CANTRAY

WILLIAM DALLAS, 'last of Cantray,' was born 5th, and baptized at Croy 5th March 1739, the witnesses being Angus Shaw of Tordaroch and William Shaw of Craigfield. He was therefore but a child of seven when he inherited the estates. Only three years later, 27th September 1749, he and William Dallas in Termitt were witnesses to the baptism of William, the eldest child of Donald Dallas in Cantray, and on 10th October 1754 he again witnessed the baptism of one of Donald's sons.

In his youth he had the misfortune to incur the censure of the Church, and as the proceedings recorded in the Croy Session Record throw some light upon the customs of the time, they may, though somewhat detrimental to the young laird's character, be briefly recapitulated here:—

'28th December 1759.—Delated Katherine M'Kenzie in Cantray as having brought forth a child to William Dollas of Cantray.

'10th January 1760.—Katherine M'Kenzie appeared and confessed, but William Dollas did not appear.

'9th March 1760.—William Dollas of Cantray, after the Moderator had writ him twice on the subject of his delinquency, submitted cheerfully to Church discipline, paid £20 Scots for his fine and made public profession of his repentance before the congregation in which he was absolved.

'Katherine M'Kenzie, his partner in guilt, having fully satisfy'd discipline, was likewise absolved.'

The young laird came of age in 1761, and on 11th August of that year he was served heir-male special to his father in

the lands of Croy with the alehouse and croft. (*Cantray Chart.*) There is also an extract retour of special service in his favour, dated 2nd September 1761, in which mention is made of writs granted to Alexander Dallas, his great-grandfather (*proavi*), to William Dallas, his grandfather (*avi*), and to James Dallas, his father, for infeftment in the lands of Croy. (*Ibid.*) The retour of his general service as heir to his father is dated 29th August 1761 (*Ibid.*), and on 22nd October he had sasine of the lands of Galcantray. (*Min. Bk., Gen. Reg. Sas., cexl. 206.*)

In the year 1756, the laird being a minor, his mother and curators recommenced the so-called encroachments on the large tract of moor and hilly ground lying east and south of Galcantray which had been interrupted during his father's lifetime. They continued to improve the moor by ploughing and sowing until 1761, when John Campbell of Cawdor, as proprietor of the lands of Budzet, claimed a common right to the moor, and suspended the improvements by an order of the Court of Session obtained in August 1761—that is, as soon as possible after the coming of age of the young heir. Against this order William Dallas petitioned the Court on 21st January 1762, Campbell's 'Answers' being dated 1st February following, but the result of the petition has not been ascertained.

There is but little further to be recorded of William Dallas. On 6th January 1761 he granted a tack of the easter part of Drummore to James Dallas, in whose possession it already was (*Commis. Court Deeds, Inverness*); on 24th March 1764 he gave a tack of certain lands to Pryce Macarthur, 'presently residing in Galcantray'; and on 10th August following he granted another tack of the lands of Wester Galcantray to Captain Thomas Dunbar of General Holmes' Regiment. (*Sheriff Court Bks., Inverness.*)

In 1763 he was in Edinburgh, probably studying at the University, and perhaps domiciled with Hugh Rose, younger of Kilravock, who was then engaged upon his thesis for the

Scottish Bar. In a letter to his brother John, dated 12th July of that year, Hugh Rose mentions his hesitation 'to engage with packing up this [letter], as Cantray threatens to reinforce the frank with some production of his,' and says, 'I hear Cantray's pen scratching in the next room, so that for fear of surfeiting you, I shall conclude,' etc. (*Kilr.*, 438-9.) On 19th November 1766 he was admitted to membership of the Speculative Society of Edinburgh, an association of members of the University, and to this he contributed an essay entitled 'Advantages and Study of Knowledge,' but he resigned on 4th November 1767, no doubt on account of his accumulating financial difficulties. (*Hist. Spec. Soc. Edin.* (1845), 82.)

About this time the new church, said by Hugh Scott to have been erected in 1767 by the exertions of Rev. James Calder, the minister, must have been completed, for on 5th February 1765 the Session Records of Croy give particulars of the division of the 'new kirk' among the heritors. 'Kilraick,' the principal heritor and patron of the parish, had 35 feet 7 inches measurement, and Cantray follows with 15 feet 1 inch, while in the division of the Loft Kilraick again comes first and Cantray second. To Mr. Bailly, Sir Ludovic Grant, and 'Castlehills' proportions are assigned, but it is stated that these belong to the Session of Croy, and are to be set apart for the benefit of the poor.

On 16th December 1765 he made a liferent disposition in favour of Mrs. Margaret Hamilton, his loving and affectionate mother, of forty bolls farm bear out of the lands of Easter Galcantry, 'presently possessed by her and Alexander Dallas' (*Sheriff Court Deeds*, Inverness), but the relationship of this Alexander is not disclosed.

Financial troubles appear now to be pressing severely, and on 7th February 1767 he executed a deed of factory in favour of Mr. Colin Campbell for managing his affairs during his absence, he having determined to go abroad. One of the

witnesses to this deed is Mr. Walter Dallas, manufacturer in Nairn. (*Ibid.*) Whether the laird did in fact go abroad at this time there is nothing to show, but on 29th July following he must have been in Britain, for he then entered into a contract to sell the lands of Croy, Cantray, Cantralees, and Cantrafrees, Drummore and Over and Nether Galcantray and fishings on the water of Nairn for £5250 sterling to Mr. David Davidson, merchant or broker in London. (*Cantray Chart.*) The disposition followed on 2nd February 1768, and was accompanied by an inventory of writs closed by the following docket: 'What is wrote upon the Twelve preceeding pages of the foregoing Inventory contains an Inventory of the Tittle Deeds and progress of the Lands and Estate of Croy, Lands and Estate of Cantralees, Cantrayfrees and Drummor and of the Lands of Over and Nether Galcantray, miln and miln lands, multures and sequels thereof and of the Salmon-fishings on the Water of Nairn belonging to the said lands referred to in a disposition of the foresaid lands and others granted by William Dallas of Cantray to and in favours of David Davidson, merchant or broker in London, and all which writes and tittle deeds are delivered up by the said William Dallas to the foresaid David Davidson along with the said disposition and of which writes the said David Davidson hereby acknowledges the receipt and Binds and obliges him, his heirs and successors, to make the same forthcoming to the said William Dallas and his heirs and successors in defence of any action of Eviction that may be brought of the said lands and other subjects or any part thereof which may affect the said William Dallas or his foresaids directly or consequentially upon a receipt for the same and obligation for presentation and redelivery thereof within a competent time and under a suitable penalty.' The inventory (of the same date as the disposition) was executed and witnessed in London, and is thus quoted at length to refute the persistent statement that the laird reserved a power of redemption: the

sale was absolute and unconditional, as this formal docket shows conclusively.

One further step in the alienation of the estate is disclosed by the renunciation by Margaret Hamilton, relict of James Dallas of Cantray, and Isabell, Ann, Katherine, and Margaret Dallas, lawful daughters procreat betwixt her and the said deceased James Dallas, narrating that William Dallas of Cantray, by a deed or liferent settlement dated 28th October 1766, pledged himself to infest them in liferent in the lands of Galcantray and pertinents, he having the liberty of enjoying the lands for the annual payment of £50 sterling while the mother and daughters remained in family together, and upon which they were duly infest on 30th October, their sasine being recorded on 19th November, both in 1766; now the said William Dallas has sold the lands and is obliged to clear the same of encumbrances, and having paid to them an equivalent, they hereby renounce. The deed is dated at Aberdeen, 10th March 1768, the witnesses being Aberdeen lawyers. (*Gen. Reg. Sas.*, cclxviii. 320.)

Of the subsequent career of the last laird of Cantray nothing is known with certainty. In a brief biography written in 1845 it is stated that 'he sold the estate . . . reserving, however, a power of redemption, and went to India. After residing there for some years, and amassing considerable wealth, he sailed for this country with the intention of redeeming the property, but he never reached home, the vessel having been lost on the passage.' That no 'power of redemption' was reserved has already been shown, and Miss Elizabeth Jane Dallas, writing from Nairn on 11th March 1870, said, 'From the loss of old family papers and documents in China I fear little that is satisfactory can be made out,' with regard to the later pedigree of the family. From this it appears probable that it was to China, not to India, that William Dallas proceeded in search of fortune, which, however, in spite of the statement above, he does not seem to have achieved.

On 15th December 1778 the testament dative of William Dallas of Cantray, who died abroad in 177-, was given up by Stewart Dallas, only child of the defunct and executrix dative. There was due to the deceased a sum of £10 sterling as part of the sum of £166, 13s. 4d. sterling contained in the contract of marriage entered into between the said William Dallas and Stewart Mackenzie, his spouse, third daughter of Sir Alexander Mackenzie of Coul, dated 10th May 1765, and which sum was payable on the death of Sir Alexander Mackenzie. The biography already quoted states that Dallas died in '1773-4,' which is probably correct; his wife must have predeceased him, or at least have been dead before 15th December 1778. His only child,

STEWART DALLAS must have been but twelve years of age when she thus gave up her father's testament, and can have been none other than the 'little girl' mentioned in 1773 in Boswell's *Tour*. 'My cousin, Miss Dallas, formerly of Inverness,' writes Boswell, 'was married to Mr. Riddoch, one of the ministers of the English chapel here [*i.e.* Aberdeen]. He was ill, and confined to his room; but she sent us a kind invitation to tea, which we all accepted. She was the same lively, sensible, cheerful woman as ever. Dr. Johnson here threw out some jokes against Scotland. . . . And he laid hold of a little girl, Stuart Dallas, niece to Mrs. Riddoch, and representing himself as a giant, said, he would take her with him! telling her, in a hollow voice, that he lived in a cave, and had a bed in the rock, and she should have a little bed cut opposite to it!' Whether the little orphan ever reached womanhood or married there is nothing to show. As, however, she was unknown to Miss E. J. Dallas, her second cousin, she probably died in her youth.

## DALLASES IN THE BRAE OF CANTRAY

THERE has been a branch of the Dallas family for many generations in the Brae of Cantray whose genealogy is not quite clear, though the editor is of opinion that they were closely related to the Cantray family.

William Dallas, born 27th December 1719, and who occupied Tomluncart from 1745 to 1764, seems to have been the third son of John Dallas and Margaret M'Intosh in Dalziel and grandson of Hugh Dallas of Bracklie (now spelt Brackley), eldest son by the second marriage of William Dallas of Cantray and Christian Dunbar.

From 1764 to 1767 he occupied Cantray, and appears to have been the last Dallas tenant of those lands before they passed into the hands of the Davidson family. In 1768 he appears in the Brae of Cantray, which has been continuously occupied by his descendants till the present time (1921).

His name frequently occurs in the Croy Parish Records. He is mentioned as a witness on 20th February 1768 to the baptism of John, son of William Dallas and Lillias Lessly in Cantradow, and for the last time on 15th December 1778 in conjunction with Donald Dallas, when they appear as witnesses to the baptism of Beatrice, daughter of John Dallas, son of Donald Dallas and Janet M'Lean in Brae of Balfreish.

He married Ann Man, daughter of James Man, Lochend of Clans, by whom he had four sons and eight daughters:—

I. JAMES, *b.* at Croy, 21st August 1754, married Janet Rose, *b.* Cawdor, 26th August 1778, daughter of Hugh Rose, Dalcross, by whom he had three sons and four daughters:—

i. William, Brae of Cantray, *b.* at Croy, 15th April 1806;  
*m.* 29th May 1857, Catherine Primrose, *b.* at Croy,

## THE FAMILY OF DALLAS

10th December 1832, daughter of David Primrose, Edinburgh, by Anne Munro, daughter of Hugh Munro, parish of Croy, by whom he had four sons and two daughters:—

1. James, Brae of Cantray, *b.* Croy, 18th May 1858, married at Edinburgh, 24th December 1909, Isabel, eldest daughter of John Forbes, Teanassie, Beaully, Inverness-shire.

2. David, solicitor, Glasgow, *b.* Croy, 16th August 1859; *m.* at Inverness, 7th September 1903, Janet Julia Fraser, eldest daughter of Simon Fraser, merchant, Inverness, by Helen, youngest daughter of John Allen, Mid Coul, in the parish of Petty, Inverness-shire.

3. William, *b.* at Croy, 7th March 1861, now of Johnston River, Geraldton, Queensland, Australia.

4. Hugh, *b.* Croy, 1st November 1864, now of 'Lonnie,' Allen Fearn, Inverness; *m.* 22nd December 1915, Jessie Calder, by whom he has (1) Catherine Elizabeth, *b.* 1916, and (2) Annie Primrose, *b.* 1917.

1. Jessie, *b.* Croy, 20th May 1863; *m.* at Inverness, 22nd June 1891, John Sinclair, Daltulich, by whom she had four sons and four daughters:—

(1) Duncan, *b.* 24th May 1893.

(2) William Dallas, *b.* 24th June 1894.

(3) John, *b.* 13th August 1899, *d.* December 1916.

(4) James Dallas, *b.* 6th October 1900.

(1) Catherine Annie, *b.* 17th April 1892.

(2) Jeannie, *b.* 17th August 1896, *d.* 13th August 1905.

(3) Annie Dallas, *b.* 24th February 1898.

(4) Kennethina, *b.* 7th August 1906.

2. Annie, *b.* at Croy, 11th July 1866; died unmarried at Brae of Cantra, 19th October 1903, and is buried in the family burying-place in Croy churchyard.







*J. D. Yeadon, Photographer, Elgin.*

CAWDOR CASTLE FROM NORTH-WEST



*J. D. Yeadon, Photographer, Elgin.*

CAWDOR CASTLE, KING DUNCAN'S BEDROOM

William Dallas died at Brae of Cantray 18th April 1867, aged sixty-one years; Catherine Primrose, his wife, died 23rd April 1904, aged seventy-one years. They are both buried in the family burying-place in Croy churchyard.

- II. Hugh, *b.* at Croy, 28th June 1808; *d.* in infancy.
- III. Hugh, of Escley Court, Herefordshire, *b.* at Croy, 15th October 1812; *m.* at Bebbington parish church, Cheshire, 7th October 1851, Isabella, *b.* 25th December 1816, youngest daughter of Samuel Fergusson, Killylung, parish of Holywood (of the Craigdarroch branch of the family), by Mary Corrie, daughter of James Corrie, Kerricks, in the parish of Tinwold, county of Dumfries, by whom he had two sons and two daughters:—

1. James, *b.* at Storeton Grange, Cheshire, 1852; *d.* in 1856.

2. William, *b.* at Escley Court, Herefordshire, 16th May 1859; *m.* at Michaelchurch, Escley, 6th September 1887, Elizabeth Howell, *b.* Hereford, 16th December 1863, eldest daughter of John Howell, by Mary, daughter of John Williams, Ashperton, Herefordshire.

1. Mary Sarah, *b.* at Storeton Grange, Cheshire, 6th February 1854, now of No. 4 Hyde Gardens, Eastbourne.

2. Susan Walker, *b.* at Storeton Grange, Cheshire, 28th March 1856. She died unmarried at Malvern, 26th March 1887, and is buried in Cowleigh churchyard, Worcestershire.

Hugh Dallas died at Holmer, Hereford, 30th June 1882, and is buried in the churchyard, Michaelchurch, Escley, along with his wife, Isabella Fergusson, who died 13th December 1872.

- I. Janet, *b.* at Croy 1810; *m.* at Croy, Alexander

Mann, by whom she had nine children. She *d.* 19th March 1874, aged sixty-three years.

II. Anne, *b.* at Croy, 10th September 1814; *m.* Mackenzie, Melbourne, Australia.

III. Jane, *b.* at Croy, 10th September 1818; *m.* John Frazer, Melbourne, Australia, and had by him two sons and one daughter. She *d.* 11th July 1898, aged seventy-nine years.

IV. Mary, *b.* at Croy, 6th January 1820; went to Australia about the year 1864, where she died unmarried, 6th July 1899, aged seventy-nine years.

James Dallas died at Brae of Cantray, 15th November 1838, aged eighty-four years, and is buried in Croy churchyard along with his wife, Janet Rose, who died 24th October 1854, aged seventy-five years.

II. WILLIAM, *b.* at Croy, 14th October 1756; *d.* in infancy.

III. JOHN, *b.* at Croy, 1st May 1758; *m.* Ann Macdonald, by whom he had three sons and two daughters:—

I. William, *b.* at Croy, 24th December 1798. His last known address in 1865, No. 4 Carmelite Street, Banff.

II. James, *b.* at Croy, 7th September 1802, *d.* before 1845, leaving a widow and one child who *d.* in infancy.

III. John, *b.* at Croy 18 , went to America in the year 1834, where he purchased a farm at Sugar Grove, Warren County, Pennsylvania. He *m.* Janet Hendry, by whom he had three children, but only one son survived.

1. James.

Janet Hendry *d.* in 1840, and he *m.*, secondly, Mary Mackean, a native of Morayshire, who with her mother and brother went to America in the year 1837, but by her he had no children up to the year 1847.

I. Mary, *b.* at Croy, 12th June 1806.

- II. Anne, *b.* at Croy, 1800; she *d.* in 1870. There is an inscription on a tablet with medallion to her memory in the old Calton burying-ground, Edinburgh, erected by Cosmo Innes and his sister, Mrs. Burton.

IV. WILLIAM, *b.* at Croy, 24th June 1761, was at one time in the army. He was a witness to baptisms in the Croy parish register in 1813 and 1814. It may have been he who *m.* Isobel Campbell and had a daughter Margaret, *b.* at Croy, 26th June 1794.

- |                 |                          |                    |
|-----------------|--------------------------|--------------------|
| I. MARIE,       | <i>b.</i> at Tomluncart, | 13th May 1745.     |
| II. MARGARET,   | do.                      | 18th August 1746.  |
| III. ANNA,      | do.                      | 21st March 1748.   |
| IV. ANNE,       | do.                      | 1st November 1750. |
| V. JANET,       | do.                      | 10th August 1752.  |
| VI. JEAN,       | do.                      | 4th May 1763.      |
| VII. KATHERINE, | do.                      | 10th October 1764. |
- VIII. ISOBEL, *b.* at Cantray, 4th May 1767.

William Dallas and Ann Man his wife died at Brae of Cantray, and are buried in Croy churchyard.

After the greater part of this volume was in print the editor and Mr. William Dallas of Pinewood Hill, Fleet, Hants, with the latest record information before them, have come to the conclusion that William Dallas in Tomluncart was, as stated, of the Bracklie family dealt with at p. 159 and pp. 431-445 of this volume.

It is right to add that a claim was made by the late John [Forbes] Dallas of Weymouth that his family and the above family were both descended from a John and a James Dallas who were tenants in Galcantray about 1720. A careful examination of the records does not favour this view. These gentlemen do not appear to have been brothers, and it would also appear that as there were two distinct holdings of Easter and Wester Galcantray, they had no connection with each other. In the action between the heirs of Dallas of

Budgate and Dallas of Bannans (pp. 302-320), it is stated that Henrietta Cockburn, widow of William Dallas of Budgate, had uplifted £19, 14s. due by John and James Dallas in Galcantray as part of their customs, and had received from John Dallas in Galcantray a guinea in full payment of a bill due by him to the said William Dallas.

It is possible that John [Forbes] Dallas was descended from one of these, and we have made up his genealogy as follows :—

I. JOHN DALLAS in Galcantray, by his first wife, Elizabeth Rose, had issue :—

I. James Dallas, *bp.* Croy, 28th November 1727, resident in Galcantray 1753, in the Brae of Cantray 1755, and in Cantrabruich 1758. He *m.* Ann Jack, and had issue : (1) William, *bp.* Croy, 17th August 1753 ; (2) John, *bp.* Croy, 16th May 1755, who may have been identical with John Dallas in Cantradoun, who by Elizabeth Brown, his wife, had a daughter Janet, *bp.* Croy 4th October 1778 ; (3) Alexander, *bp.* Croy, 27th February 1758 ; (4) James, *b.* 24th, *bp.* Croy, 26th July 1761 ; (5) Isobel, *b.* 10th, *bp.* Croy, 11th March 1764.

II. Alexander Dallas in Galcantray, *bp.* Croy, 6th May 1729, *m.* (1) Isobel M'Arthur, 'of the family of Achneim above Cawdor, and Patrick More M'Arthur, keeper to the Earl of Cawdor, was her brother's son' [*John Forbes Dallas*], and said to have been nurse to the James Dallas of Cantray of the '45 (*Ibid.*), and by her had issue :—

1. William Dallas, *b.* 23rd, *bp.* Croy, 26th October 1760, 'a brave officer who volunteered in the "forlorn hope" at the assault of Seringapatam in 1799 with Sir David Baird, and executed such exploits of valour (being an extraordinary strong man) that he caused his death by over-exertion a few days after the battle.

A tomb has been erected there to his memory.' [John Forbes Dallas.] He died unmarried (?).

2. John Dallas, *bp.* Croy, 28th November 1762; afterward in Holme, gardener at Inches, Warrenfield, and Lentron. He *m.* Janet Simson, and had the following children:—

(1) Isobel, *bp.* 29th November 1790.

(2) Mary, *bp.* 18th March 1793.

(3) Donald, *bp.* 6th June 1795.

(4) William, *bp.* 24th July 1798.

(5) John [Forbes] Dallas, *bp.* Croy, 20th December 1800, a civil engineer who for a time belonged to the Civil Department of the Royal Engineers. He *m.* and *d.* at Weymouth 1883, having had issue:—

(i) William Dallas, 'went to America in 1856 and not heard of since.'

(ii) John Dallas, a civil engineer, Indian Public Works Department. He *d.* at Cardiff in 1884, 'leaving a widow and 2 daughters in India.'

(iii) George Alexander, *b.* 1834, *d.* 1853.

(iv) Walter James Dallas, *b.* 1835, *d.* 1875.

(i) Mary Dallas, *b.* 1831, *m.* Gale, *d.* 1902, leaving issue: Wm. Forbes Gale, John Dallas Gale, and Janet Elizabeth Gale.

(ii) Elizabeth Dallas, *m.* McRae, 'a widow with two daughters in Philadelphia, U.S.A.,' in business as drapers.

(6) Hugh, *b.* 19th, *bp.* 26th December 1804, *d.* 1881 without issue.

John and his brother Hugh are buried at Wyke Regis, Dorset. [John Dallas Gale.]

3. James Dallas, *bp.* Croy, 3rd May 1765.

4. Mary Dallas, *bp.* Croy, 10th April 1768.

Alexander Dallas, by his second marriage with Annie

M'Intosh, had the following children: (1) Elizabeth, *b.* 21st November 1769; (2) Annie, *b.* 8th January 1772; (3) Jean, *b.* 15th, *bp.* 25th May 1774; (4) Alexander, *b.* 1st January 1777; (5) James, *b.* 29th November 1779.

III.-IV. Duncan and John Dallas (twins), *bp.* Croy, 28th July 1731.

v. John Dallas, *bp.* Croy, 21st April 1734, *m.* 19th November 1750, Jean or Catherine Sutherland in Balafries, by whom he had (1) Ann, *b.* 1st December 1751; (2) Jean, *b.* 26th February 1758; (3) William, *b.* 12th October 1760.

VI. Mary Dallas, *b.* 25th, *bp.* Croy, 30th March 1737, one of the witnesses being James Dallas in Galcantray.

VII. William Dallas, *bp.* Croy, 12th April 1741.

II. JAMES DALLAS in Galcantray was father of a son Charles, *bp.* Croy, 9th June 1721, and a daughter Margaret, *bp.* Croy, 3rd May 1727.



## DALLAS OF PETSAL

HUGH DALLAS, the second son of Alexander Dallas of Cantray and Christian Dunbar, first occurs, a student in Nairn, as a witness, with William Grant of Ardoch, to a deed by Alexander Dunbar of Bennetsfield, and John Dunbar, his eldest son, dated at Nairn, 18th August 1670, narrating bonds of provision granted by them to the younger sons, James, Alexander, George, William, David, and Patrick Dunbar. (*Nairn Burgh Rec.*) He was included in his father's bond of provision for his younger children, dated 16th November 1671; and with his brother german, Alexander Dallas of Cantray, witnessed the giving of sasine of the lands of Brackley to Hugh Dallas of Brackley, 21st May 1683.

He appears to have been his mother's favourite son. She, in her widowhood, obtained a charter on a decreet of adjudication against Walter Dunbar deceased, sometime Bailie of Forres, dated 5th January 1682, and on 29th October 1683 she was infeft by the Provost and Magistrates of Forres in the following lands: '(1) Part of the common lands in the burgh of Forres called the Limekilns, lying between the lands of the deceased Alexander Forsyth on the East, the commontie of the Burgh on the West, the Back-way at the South, and the yaird next described at the North. (2) A yaird to the North of the above. (3) Anothir, called the New Yaird sometime belonging to the said Alexander Forsyth.' On this charter she had sasine 14th November 1683, and on 15th November 1686 a charter of these lands is granted by the Provost and Magistrates (of whom one is George Dallas) to Hugh Dallas, brother german to Alexander Dallas of Cantra, on a disposition

by Christian Dunbar, relict of the deceased Alexander Dallas of Cantray. Sasine follows on the same date, the witnesses to the precept being John Balmanno, burgess of Forres, Thomas Dunbar, Thomas Forsyth, Patrick Tulloch younger, merchants, and John Collie, while it is also signed by Patrick Tulloch, Provost, James Urquhart, Bailies John Dunbar and George Dallas. Following this, also on the same day, is sasine given in favour of Isabel Tulloch, future spouse of the said Hugh Dallas, in fulfilment of their marriage contract, dated 5th November 1686, by which the said houses, yairds, and kiln barn are conveyed. The witnesses are John Dunbar and John Tulloch, merchants, and John Tulloch and John Smith younger, glovers. (*Reg. Sas.*, Forres.)

About the same time there is discharge, renunciation, and grant of redemption by Hugh Dallas, second lawful son of the deceased Alexander Dallas of Cantra, referring to the bond of provision of 16th November 1671, and narrating that Marjorie Dallas (one of the children named therein), with consent of Thomas Dunbar, her husband, on . . . appointed Christian Dunbar, relict of the said deceased Alexander Dallas, and her heirs and assignees to her share of 500 merks, and that the said Christian Dunbar on . . . 168 assigned the said sum to the renouncer, whereby he has right not only to his own portion, but also to that of his said sister Marjorie. And now, seeing Alexander Dallas, now of Cantra, 'my elder brother and sone and aire of our said deceist father,' has paid to him 1250 merks, he grants discharge thereof and renounces the lands in which he and his sister were infeft in security. The deed, written by John Dallas, notary public in Fortrose, is dated at Cantra, 8th December 1686, the witnesses being John Dallas, writer, and John Dallas, son to John Dallas M'Phadrick in Cantra. (*Reg. Sas.*, Inverness, v. fol. 394.) On 15th December 1687 he married Isobel, eldest daughter of Patrick Tulloch of Bogtoun, but things did not apparently go happily for the young couple, for on 20th September 1696 Hugh granted a

charter of these Forres lands to Patrick Tulloch, in which the following clause occurs: 'Foreasmuch as on 31st May 1690 Hugh Dallas second son of the deceased Alexander Dallas of Cantray by bond for 3000 merks to Patrick Tulloch of Bogtoun Provost of Forres did impignorate [these lands], the Burgh Clerk now gives the said Patrick Tulloch charter thereof, but redeemable by the said Hugh Dallas and his heirs-male,' etc. (*Reg. Sas.*, Forres.) Following this on the 8th October 1690 inhibition is granted at the instance of 'Patrick Tulloch of Bogtoun, Provost of Forres, and [blank: no names] Dallases, lawful children of Hugh Dallase, second son to the deceased Alexander Dallace of [Cantray] procreate betwixt him and Isobel Tulloch, his spouse, eldest lawful daughter of the said Patrick Tulloch, against the said Hugh Dallas and Christian Dunbar, his mother.' Mention is made of a process between the parties before the Court of Session for the fulfilment of the terms of the contract of marriage made between them, it having been stipulated that the said Isobel shall be infert in liferent and the said children, 'then to have been procreate,' in fee, in certain considerable sums of money, lands, etc., the contract bearing date 5th November 1686; also, to make forthcoming all the goods pertaining to the said Christian Dunbar contained in a disposition by her to her son Hugh Dallas, which was transferred by him to his said spouse, and again by her to her father. (*Reg. Inhib.*, Elgin, Forres, etc., vi.) His interest in his mother's property must have been great, for on 27th April 1694 there was a registration of horning at the instance of William M'Lay in Croy, narrating that by a tack granted by Hugh Dallas, second lawful son of the deceased Alexander Dallas of Cantray, with consent of Christian Dunbar, liferentrix of the lands of Bellafreis, Galcantray, and Croy, his mother, dated 21st March 1690, he bound himself to renew the tack to the complainer or, in the case of his death, to Anna M'Pherson, his spouse, for other three years under the penalty of £100. The messenger executed the summons at

Hugh Dallas's dwelling-house in Bellafreish on 7th April. (*Reg. Horn.*, Inverness, x. fol. 341.) It is probable that the disputes with his father-in-law led to some pecuniary difficulties, and in the next few years he is engaged in sundry bond transactions, some of which are recorded in the Register of Deeds at Forres. On 15th May 1696 there is recorded a bond by Hugh Dallas of Bellafries to Nicol Falconer in Forres for £8, 6s. 8d. Scots for lent money, the witnesses being John Falconer, student in Forres, and Patrick Falconer, writer ; on 1st July 1697 there is another bond for £30 Scots by Hugh Dallas, brother german to the deceased Alexander Dallas of Cantray, witnessed by John Hucheon and John Wilson, students in Auldearne ; on 2nd April 1698 is recorded a bond for £70, 12s. Scots by Hugh Dallas, lawful son to the deceased Alexander Dallas of Cantray, dated 11th November 1697, to George Ogilvie in Holme, the witnesses being David Cumming, writer, and William Cumming, student, both in Inverness ; and finally on 2nd April 1698 there is recorded a bond for £4 Scots by Hugh Dallas, lawful son to the deceased Alexander Dallas of Cantray, and John Dallas his brother german as cautioner, to William Cuthbert, burgess of Inverness ; the bond is written by Alexander M'Lean, writer at Bellfreishe and subscribed at Bellfreishe on 5th March 1697, the witnesses being William M'Pherson, burgess of Inverness, and David Cumming, writer. Though he appears to have retained possession of his ' dwelling house ' at Balfreish for some time after this date, he was evidently settled later as a merchant in Forres, and on 28th September 1704 it is recorded that he was one of the ' Absents ' from the Head Court there. In the rental of the town in that year he is debited for ' ane 16th part and ane half common land, 12s. ; for his yaird at the back of his house, 3s. 4d. ; for his yaird next to Thornhill's lands, 3s. 4d. ; for his new yaird, 10s., ' making a total of £1, 8s. 8d. towards the annual burgh rental of £402, 5s., as recorded in the Forres Council Records for that and the following years. On 24th April

1705 he was witness to sasines of Forres lands granted to Barbara Allan and to John Cowie, when he is described as burgess in Forres. In the Treasurer's Accounts Hugh Dallas appears in a list of 'Deficients' on 27th October 1707, and in the rental of burgh lands, 24th June 1713, there appears 'Hugh Dallas for common lands at six merks per boll, £6,' and for 'Salmon fishings, 16s.' He must have died very soon after this date, as on 17th December 1713 his burgh lands in Forres, still valued at £1, 8s. 8d., are entered in the rental as in the hands of his heirs. By his wife, Isobel Tulloch, he must have had a number of children, but the names of those referred to in the inhibition of 8th October 1690 have not been recovered, and it is only possible to specify two sons and one daughter :—

1. Alexander, his heir.
2. Patrick, *b.* in Forres and *bp.* there 9th December 1697, the witnesses being Patrick Tulloch elder and younger of Bogtoun and Patrick Rose in Lochiehills.
1. Christian, *m.*, first, 16th June 1728, Alexander, son of late James Wood, farmer, Aucterless; second, 26th March 1738, Patrick Farquhar. (*Edin. Mar. Reg.*)

ALEXANDER DALLAS, the eldest son, was born in Boglone, where his parents appear then to have resided, and was baptized at Forres, 8th February 1691, the witnesses being Alexander Tulloh of Tanachie, Alexander Stewart in Forres, and Isabel Tulloh in Lochiehills. He first appears, 15th June 1714, on an inquest for serving John Dunbar, indweller, burgess, as heir to his father, John Dunbar, merchant, burgess, when he is described as a burgess of Forres. (*Forres Council Records.*) On 22nd September 1724 he was elected a Councillor of Forres, when he is described as 'merchant'; he retired from the Council in 1726 (*Ibid.*), when apparently he removed to Nairn on being appointed excise officer there. His connection with Forres did not, however, cease, for on

12th February 1733 there is a sasine in favour of Alexander Dallas, officer of excise at Nairn, on a bond, dated 15th December 1732, by Gilbert Hay, maltman in Forres, and Bessie Urquhart, his spouse, for £800, under which they had infefted him in a piece of land called Calfward and an acre called Goskenooke. (*Reg. Sas.*, Forres, iv.) A disposition by other bondholders in his favour follow, and finally sasine is given to Elizabeth Finlay, wife of Alexander Dallas, on a disposition by him to her, dated 13th February 1733. (*Ibid.*) These lands are stated to march with other properties held by Alexander Dallas in the burgh of Forres. The date of his death is not known; nor is that of his marriage, which must have been about 1722-3. His wife, Elizabeth Finlay, was in all probability daughter or sister of John Finlay, merchant in Forres, who witnessed the baptism of one of their sons in 1725. It is unfortunate that no record of the baptisms of his children, born after his leaving Forres, has been found, and it is probable that the list following is incomplete:—

i. John, *bp.* at Forres in 1725, the witnesses being John Brodie of Windiehills and John Finlay, merchant.

ii. Robert, of whom below.

iii. Duncan, *b.* about 1729; mentioned in the will of his brother Charles Dallas; *m.* Elizabeth (*b.* 8th September 1736, *d.* at Kentish Town, 4th April 1814), widow of Mercer, and daughter of Haslett Powell, 'probably of London,' owner of land at Luton, co. Bedford. He resided at Stockwell, and *d.*, aged eighty-five years, at Mr. Bush's, Muswell Hill, 19th July 1814, and was buried at Hornsey (?). His will, dated 13th February 1812, was proved in P.C.C., 29th July 1814. He had issue:—

1. Harriet, *m.* at Lambeth, 16th December 1789, James Bush, of Doctors' Commons, and had issue. (*Burke* (1906), s. CROMWELL.)

2. Sophia, 'youngest daughter,' *m.* at Lambeth Church, 29th June 1797, Peter Barnard, jun., surgeon, of Southampton (*Times*); *d.* at Southampton, 2nd April 1808, without issue.

IV. Charles, stock and insurance broker, Finch Lane, Cornhill; *b.* about 1745; by his will, dated 2nd March 1808, he made bequests to the widow and to the 'female children' of his brother Robert Dallas, to Robert Dallas, Esq., his nephew, to Robert Smith, son of his sister Helen, and to Harriet, daughter of his brother Robert Dallas; he also left one shilling to his brother Duncan Dallas; but bequeathed the bulk of his property, including his pictures, to his godson, Charles Suewin; by a codicil dated 28th February 1811, he revoked the bequest to Mrs. Robert Dallas, 'as she departed this life on the 19th inst.,' and left an additional sum of £200 to Mrs. Sarah Suewin, and his house, No. 41 Penton Street, Walworth, to his godson. He died at Walworth, 6th January 1812, and his will was proved (P.C.C.), 22nd April 1812.

I. Jean, *bp.* Forres, 30th March 1724, one of the witnesses being John Brodie of Windiehills; *m.* Walter, third son of William Dallas, of Cantray.

II. Helen, mentioned in the will of her brother Charles Dallas, as the mother of Robert Smith, a legatee under that will.

ROBERT DALLAS, the second, but apparently the eldest surviving son, like so many of his countrymen, emigrated to London in search of fortune, and became a stock and insurance broker. He is first found in Copthall Court, Throgmorton Street, in 1763, but in 1768 he had removed to 16 Exchange Alley, whence in 1777 he migrated to 2 Cooper's Court, Cornhill. While here he was for two years (1781-2) in

partnership with Mr. Allen, but nothing is known of this brief connection. In or before 1786 he made another move, this time to 11 Mincing Lane, and here he is found until the year 1794, when his name disappears from the *London Directory*. His residence, at least during the later years of his life, was, however, in Kensington, though the exact locality has not been identified.

Owing to a fire at the Pantechmicon in London most of the papers belonging to Robert Dallas were destroyed, and but little is known either of his private life or his business transactions ; but in the Arniston Collection of Law Papers (cxxxii. 40) there is an information, dated 1st February 1778, for Robert Dallas, of Exchange Alley, London, and his attorney, pursuers, against Sir Thomas Wallace-Dunlop of Craigie, Ayrshire, defender, from which it appears that in 1775, Sir Thomas, in consideration of a sum of £1200 sterling paid to him, granted a bond of annuity of £200 payable to Mr. Dallas during the life of Sir Thomas. It is stated that Mr. Dallas was an insurance broker, and entered into the transaction as a matter of business, but the defender, after paying one year's annuity, declined to make further payments, hence the action. The defender, in his answer, alleges that Mr. Dallas is a money-lender, and formulates various recriminatory charges usual in written pleadings of this character, which, of course, carry no weight. The result of the action is not recorded.

He was baptized at Forres, 23rd April 1726, the witnesses being the Hon. Robert Urquhart, of Burdsyards, Provost of Forres, and Robert Logan, Bailie, Forres ; married 7th January 1756, Elizabeth, only daughter of the Rev. James Smith, A.M., minister of Kilbirnie, by his wife, Bethia, daughter of Hugh Barelay of the family of Pierstoun (see Douglas's *Peerage* (1764), s. GLASGOW) ; died at Kensington, 9th April 1797, aged seventy-one years, having had issue :—

1. Robert (Sir), was educated at the celebrated school at



Kensington conducted by Dr Elphinston, and was admitted a barrister of Lincoln's Inn in 1777, and is said to have obtained his training in oratory at the Coachmakers' Hall. He rapidly acquired a large practice in London and on circuit, and was one of the counsel retained for the defence of Lord George Gordon in 1788. He was noted as one of the most elegant and accomplished orators in Westminster Hall, and 'no one, in my humble opinion,' writes Dibdin, 'combined elegance and eloquence more felicitously.' During the years 1788-1795 he assisted in the defence of Warren Hastings, and 'highly distinguished himself by his exertions, and by his polished addresses to the lords'—'the more humane and eloquent Dallas,' Macaulay styles him when comparing him with Law. His celebrated epigram on Edmund Burke, so often misquoted, was:—

'Oft have I wonder'd why on Irish ground  
No poisonous reptile ever yet was found:  
Reveal'd the secret stands of Nature's work—  
She saved her venom to create a Burke.'

He was appointed King's Counsel in 1795, and entered Parliament as member for St. Michael's, Cornwall, in 1802; he was Chief Justice of Chester from 1804 to 1813, and represented the Kirkcaldy burghs in Parliament in 1805-6. He was appointed Solicitor-General, 4th May 1813, and was knighted on the 19th of the same month. He succeeded Sir Vicary Gibbs as a Judge of Common Pleas in 1813; and on 5th November 1818 he was sworn in Chief Justice of the Common Pleas, again succeeding Sir Vicary Gibbs, but he was forced by ill-health to resign his office shortly before his death. He was *b.* 16th October 1756; *m.*, first, 11th August

1788, Charlotte (*d.* 17th October 1792 in Great Russel Street), daughter of Major (afterwards Lieut.-Colonel, and H.M. Consul at Corunna) Alexander Jardine, R.A. ; secondly, at Putney, 10th September 1802, Justina (*d.* 2nd December 1848 in Cumberland Terrace), daughter of Henry Davidson of Tulloch Castle, co. Ross ; *d.* 25th December 1824. He had issue by his first wife :—

1. Robert William, a major in the 9th Regiment of Foot, was, while a lieutenant, severely wounded at St. Jean de Luz, 14th December 1814 ; *b.* 18th June 1789 ; *m.* 9th May 1818, Lucy (*d.* 17th September 1871), eldest daughter of Henry Davidson, of Tulloch Castle, co. Ross, by his wife, Caroline Elizabeth, daughter of John Diffell ; *d.* at Tunbridge Wells, 11th September 1849. He had issue :—

(1) Robert William, captain in the Queen's Bays ; *b.* 22nd March 1819 ; *m.* at Leamington, 3rd April 1851, Emily Florence, only daughter of Charles Earle, J.P., of Newbold Firs ; *d.* leaving a son :—

(i) Charles Caldwell, formerly a lieutenant on the reserve of officers, *b.* 29th March 1858.

(2) Henry, *b.* 1822.

(3) Duncan, *b.* 1823 ; *d.* at Brussels in March 1830.

(4) George Frederick, major, 46th Regiment, K.L.H., J.P. for Westmorland ; *b.* 3rd April 1827 ; *m.* at Rottingdean, Maria Louisa (she *m.*, secondly, 4th March 1889, Sir Herbert Edmund Frankland Lewis, Bart.), daughter of James Arthur Taylor, M.P., of Strensham Court, co. Worcester ; *d.*

. He had issue :—

(i) Frederica.

(ii) Lucy Clara, *m.*, at Holy Trinity, Sloane Street, 15th March 1892, Charles Edward Every-



*J. D. Yeadon, Photographer, Elgin.*

CAWDOR CASTLE, DINING-ROOM



*J. D. Yeadon, Photographer, Elgin.*

CAWDOR CASTLE, MANTELPiece IN BLUE ROOM



Halsted, of Mainston Court, Ledbury, co. Hereford (*Burke*, s. *EVERY*).

(iii) Alice Muriel.

(1) Caroline, born 1820; *d.* 1865.

1. Charlotte, *b.* in Great Russell Street, 14th January 1792; *m.* 31st May 1817, Captain (afterwards Admiral) Gowan Roberts, R.N. (*d.* 1848). Her only child, Elizabeth Charlotte, *m.* John Charles Burton, D.L., of Chetwyn Park, Salop, whose only child, Jane Charlotte, *m.* Charles Eyre Bradshaw Bowles, by whom she had: (1) Humphrey Charles Bradshaw Bowles, *b.* 15th September 1879, *m.* 14th November 1898, Emily Mary Mather; (2) Cicely Frances Bowles.

Sir Robert had issue by his second wife:—

2. Magdalen, *b.* in Bedford Square, 21st June 1803; *m.* 23rd September 1828, Count Gustavus Blücher von Wahlstadt, grandson of Field-Marshal Prince Blücher von Wahlstadt; *d.* 19th March 1870.

3. Justina Davidson, *b.* at Brighthelmstone, 21st August 1804; *d.* at Baden-Baden, 15th June 1863.

4. Elizabeth, *b.* in Bedford Square, 22nd January 1806; *m.* at Lancaster, 5th November 1837, John Penny Machell, of Penny Bridge, co. Westmorland; *d.* 5th June 1866.

5. Lucy Sarah, *b.* 6th October 1811; *m.* at Paris, 26th November 1834, George Marton, M.P., of Capernwray Hall, co. Lancs.; he *d.* 24th November 1867, leaving one daughter.

6. Catherine Harriet, *b.* in July 1815; *m.*, 2nd November 1842, Lieut.-Colonel Edmund William Wilton Passy, 56th Regiment; *d.* 19th November 1858.

II. George (Sir), educated at Dr. Elphinston's school at

Kensington and in Geneva. He went to India as a writer in 1777, and his knowledge brought him rapid promotion, and for a few years he was Superintendent of the Collections at Rajeshahi, but failing health led to his retirement in 1786. While in India he wrote 'a clever poem, entitled *The Indian Guide*, published at Calcutta, [and] said to have been the first publication which was issued from the Indian press': it dealt satirically with the social life of the country as he saw it. On his return to England he wrote several political pamphlets which were 'much esteemed at the time,' and on 31st July 1798 he was created a baronet, when he is styled 'of Petsal, co. Stafford, and Upper Harley Street, Marylebone, Midx.' He represented Newport (Isle of Wight) in Parliament from May 1800 to 1802, but gained no parliamentary distinction. He was *b.* in London, 6th April 1758; *m.*, 12th June 1788, Catherine (*d.* Henrietta Street, Marylebone, 5th April 1846), fourth daughter of Sir John Blackwood, Bart., by Dorcas, created Baroness Dufferin and Claneboye; *d.* at Brighton, 14th January 1833. He had issue:—

1. William Gemmell, *b.* 11th April 1792; *d.* of scarlet fever, 11th November 1799.

2. George, *b.* 30th December 1797; wounded in the hip and thigh 'in getting over a hedge while shooting,' 19th January, and *d.* 14th February 1816, at St. Margaret's Castle, Tichfield, co. Hants.

3. Henry, captain in the 78th Regiment; *b.* in Upper Harley Street, 30th July 1802; *d.* in Dublin, 10th August 1830.

4. Robert Charles (Sir), published in 1819 an *Ode to the Duke of Wellington and other Poems*, written between the ages of eleven and thirteen, of which Southey wrote: 'Sir George Dallas has sent

me some marvellous verses by a son of his, not yet thirteen—as great a prodigy as I have ever read of. Verses appear as easy to him as speech ; Latin verse is at his fingers' ends like English ; and he has acted a part in a play of his own composition, like another Roscius.' He matriculated at Oriel College, Oxford, 7th July 1821 (B.A. 1825 ; M.A. 1829) ; and was admitted a barrister at Lincoln's Inn in 1829. He succeeded to the baronetcy, 14th January 1833, and became Lieut.-Colonel of the Royal Grenada Militia and Militia Aide-de-Camp to the Lieut.-Governor of Grenada. He was *b.* at Dawlish, 24th December 1804 ; *m.* at St. Mary's, Bryanston Square, Frances Henrietta (*b.* 11th February 1812 ; *d.* Ashburn Place, Cromwell Road, 2nd March 1894), widow of Charles des Vœux (*Burke*), and fifth daughter of Edward Law, 1st Lord Ellenborough (*Burke*) ; *d.* in Montagu Square, 2nd August 1874. He had issue :—

(1) George Edward (Sir), entered the Foreign Office in December 1863, and eventually became Chief Clerk, an office from which he retired in 1900, having succeeded to the baronetcy 2nd August 1874. He was born in Henrietta Street, 9th October 1842 ; *m.*, 17th September 1884, Felicia Mary, eldest daughter of the Rev. Canon George Earle Welby, B.A., rector of Harrowby, co. Lincoln.

(2) Rupert Caradoc Francis, captain in the Royal Lancashire Militia, 1880, lieutenant and adjutant 98th Foot, captain 5th battalion Rifle Brigade ; *b.* 14th July 1847 ; *m.*, 31st March 1880, Harriet Ann, youngest daughter of Charles Shannon ; *d.* without issue, 20th August 1904.

(3) Theodosia Selina ; *b.* 16th January 1844 ;

*m.*, 12th October 1870, William John Pepys, 3rd Earl of Cottenham (*d.* 20th January 1881). Their daughter, Lady Mary Pepys, *m.* 26th November 1910, Mr. Elias Corbally.

1. Catherine Sophia; *b.* 31st August 1789; *m.*, 9th December 1811, Vice-Admiral George Poulett, R.N., son of . . . Earl Poulett (*d.* 10th February 1854); *d.* 11th April 1831.

2. Marianne, *b.* 6th August 1790; *m.*, first, 11th February 1809, Sir Peter Parker, Bart., captain R.N. (killed at Bellair, near Baltimore, 31st August 1815), secondly, 15th August 1818, Michael Bruce, oo. Inverness; *d.* 20th February 1851.

3. Henrietta, *b.* 11th May 1801; *m.*, 11th September 1841, Henry Francis Earle.

With reference to Robert Dallas (p. 206), the editor finds he is first mentioned in the records on 27th October 1753, when he is designated as clerk to Mr. John van Rixtel, London, and eldest lawful son of Alexander Dallas, officer of excise, Elgin, and granted a factory and commission in favour of Robert Roy, merchant, Forres, to sell certain burgh lands, ackers and others, which belonged to Christian Dunbar, grandmother to said Alexander Dallas, his father. (*Durie*, 215.)

On 4th June 1754, John Gray, of Windsor Court, parish of St. Clementsends, in the county of Middlesex, uses inhibition against Robert Dallas of St. Martins, alderman, son of deceased Alexander Dallas, late excise officer in Elgin.

Sir George Dallas had a grant of arms on being made a baronet, dated 6th August 1798. This grant was in favour of himself and the issue of his father, Robert Dallas, with the proper differences, and were:—*Arms*, Argent, a bend azure, between three mullets sable; *Crest*, A crescent quarterly or and gules; *Motto*, ‘Lux venit ab alto.’ With the correspondence relative to this grant at the Heralds’ College is a card on which are depicted the arms used by Robert Dallas, the father



of Sir George, which are: Argent, a bend between three mullets azure.

We thus find the Cantray descent portrayed in the three mullets or stars already referred to on page 65. The motto, 'Lux venit ab alto,' is the second notarial subscription of George Dallas of St. Martins, W.S., mentioned on page 321.

The editor has traced an interesting correspondence in the British Museum, London, between Sir George Dallas, his brother Sir Robert Dallas, Lord Wellesley, and Warren Hastings, who was defended at his trial by Sir Robert. This correspondence will be found at pp. 410-430.



## **BUDGATE HISTORY**



## WILLIAM DALLAS I. OF BUDGATE

WILLIAM DALLAS, the first known Dallas proprietor of the lands of Budgate and Galcantray, was born about the year 1421. It has been conjectured that he was a son of John Dallas of Easterford, which is in no way opposed to chronology, and which would be greatly strengthened in validity were the possession of Budgate by John Dallas of Easterford confirmed. He first appears upon record in the year 1458, when he executed the following very interesting deed, disposing in the most summary manner of the marriage of his heir to Hugh Rose, seventh baron of Kilravock, whose sister he had married :—

‘ This endenture made at Elgyn the xvi day of the moneth of Januar, the yeir of our Lorde a thousand four hundreth fyffty and acht yeris, betuix honorabiles and worthie men, Huchoun of Ross baroun of Kilravach, on a parte, and William of Doles of Mikilbudwete and Galcantree, on the tother part, proportis and berys witnes in maner, fourm and effect, as eftir folowes. That is to say, that the said William of Doles sal gif and deliuer William his sone and apperant air and his mariage, to the said Huchoun of Rosse, his eme, to be at his will and disponyng at his liking, failliand of that, his sistris sone and air ; the said Huchoun sal haf the airis mariage of the said William richt sa, that sal be gettin betuix him therefftir or any lauchful wife in spousale, and failliand the air to cum of that wyfe, the airis mariage of the next vther wyfe that he sal hafe, and swa furth fra ane air till ane vther air gettin of his body lauchfully, vnto the tyme that the air of the said William haf treuly and with effect, fulfillit the forsaid mariage

with quhat persone or in quhat place, it sal be spedeful to the said Huchoune: for the quhilk air and mariage, the said Huchoune sal content and pay to the forsaid William of Doles at Kilravach, threty sevin markis of the vsuale money of Scotland proportionaly at ther termes folowand; that is to say, at the terme of Witsonday next folowand the making of this endenture, ten markis, and at the fest of Sanct Martyne in wyntre next therefftir folowand, nyne markis, and at the fest of Witsonday next therefftir folowand nyne markis, and at the fest of Sant Martyne in wyntre next therefftir folowand nyne markis, in ful payment and contentation for the fulfilling and giff of the said mariage, the said William deliuerand at this next Witsonday to the said Huchone, the said son and apperant air of the said William, togidder with the tane half evinly with the pertinentis of his said land of Cantree, with possessione, malez, and al vther profitis cummand therof, to the lifing and sustentacione of the said childe. Atour gif the said Huchoune may purchess the oure-lordis consent, that the foresaid childe and air may be put in the fee of the landis of Budwete and Galcantree forsaid, the franktenement therof sal be reseruit to the said William his fader, for his lyve time. Hereatour the forsaid William oblises and bindis him be the treuth of his body that he sal nouthir sell, wedset, na formale, nor mak any alienatione of the said landis of Mukil Budwete na Galcantree without the will and consent of the said Huchoune grauntit and gevin theroon. Neuertheles the forsaides Huchoune and William oblises and bindis thaim richt sua be the treuthes of thair bodiis for thaim and all thair airis and thair assigneis, that gif thai or any of thaim revoke, againstand, or brek any poynt of ther conditiouns forsaid in any maner, the brekkar therof, againstandar, or revokar, sal gif to the reparacione of the chapell of Geddas, fourty poundis of the vsuale money of Scotland, to be raysit be the Bischop of Murraue, that sal be for the time, or be his officiall or commissar, or be the vicare generale, the sege of Murraue vacant,

and to be compellit thertoo be the censure of Haly kirk. To the quhilkis al and sundry conditions and apoyntmentis for-said lelely and treuly to be keptit for euirmare, but fraud or gile, the forsaid Huchoune and William for thaim, thair airis and assigneis, the haly evangeliis toucheit, has gevin thair bodily athes. And for mare sikkernes to thais endenturis, entir-changingly has affixt thair seles, the place, day, and yere befor writin, in presence of worthie men, Ferchard Lamb, Robert of Rosse, Alexander of Rosse, Huchoun of Sutherland, and Johne Stady, squieris, Johne of Murraue, alderman of Elgyn, seris Thomas Boile, vicar of Duffous, and William Stady, chaplane, witnesses heretoo, specialy prayit and requirit.' (*Kilr.*, 133.)

He is next mentioned in an undated precept by Sir James Ogilvy of Deskford, probably issued between 1480 and 1490, and on 10th May 1492 Alexander Roos of Dunheryn, Vilyam Doles of Cantray and Wilyam Doles of Budwit became surety for Hugh Rose of Kilravock for the payment of the tocher of his eldest daughter Isabel, now contracted with John of Caldor, the son and heir of Williamthane of Cawdor (*Cawd.*, 76), while on 24th May following Hugh Rose issued a precept directed to William Hay of Lochloy, William Doles of Budwit, and John Cheyn his bailies, to give sasine to the quarter lands of Geddes, which had been pledged to thethane of Cawdor in security for the payment of one hundred merks of Isabel Rose's dower. (*Cawd.*, 78.) On 6th January 1493-4 William Doles of Cantra and William Doles of Bydvyt were amongst the witnesses to the charter of foundation by Hugh Rose of Kilravock of a perpetual chaplainry at Geddes (*Kilr.*, 140), though it was only three months later that they were tried and sentenced to death at Aberdeen, as already related.

In the account previously given of William Dallas of Cantray some details have been recorded with regard to a dispute between the good town of Inverness and certain northern burghs. In this cause, which was tried in the year

1501, William Dallas of Budgate was summoned as a witness, and on 28th May deponed that the burgh of Inverness was ever the principal burgh of the whole shire, and that he heard never that Dingwall or Tain occupied any freedom but at their licence, and that it is the head staple of Caithness, Sutherland, and Ross, and states his age to be eighty years. (*Invernessiana*, 185.) On 21st January 1501-2 William Doles of Cantra and William Doles of Bydvyt were amongst the witnesses to a notarial instrument called forth by the dispute between the thane of Cawdor and the baron of Kilravock with reference to the marriage of the thane's son and the baron's daughter. (*Cawd.*, 113.) It may be safely assumed that William Dallas of Budgate did not long survive this date, and that he was succeeded by his son William. Of his other issue nothing is known.



## WILLIAM DALLAS II. OF BUDGATE

It may be safely concluded that the 'child' whose marriage was so summarily disposed of in the year 1458 was identical with William Dallas of Budgate, who is found in possession of that property in the early years of the sixteenth century. He married Margaret, daughter of William, thane of Cawdor, as is evidenced by the following precept, the date of which Cosmo Innes, in his *Thanes of Cawdor*, assumes to be about 1490-1500, but which might with greater probability be placed ten years earlier, as the eldest son of the thane was married in 1499, and his two other daughters in 1487 and 1490 respectively. The precept runs as follows:—

‘Jacobus Ogiluy de Deskfurd miles ac dominus de Strathnarn dilectis balliuis meis Willelmo Thano de Caldor et Patricio Ogiluy in Glassach in hac parte specialiter constitutis et eorum cuilibet coniunctim et diuisim salutem. Quia dedi hereditarie Willelmo Doles filio et heredi apparenti Willelmi Doles de Bodwit et Margarete Caldor et eorum alteri diucius uiuenti . . . omnes et singulas terras meas de Westirgalcantra cum pertinenciis et duabus croftis de Estircantra et perticatam terre ad valorem quinque solidorum et quatuor denariorum de eadem Estircantra de terris propinquioribus jacentibus prope Westercantra cum omnibus suis pertinenciis jacentes in dominio meo de Strathnarn infra vicecomitatum de Inuerness . . . vobis igitur et vestrum cuilibet . . . precipio et mando quatenus accedatis ad predictas terras cum pertinenciis et ibidem dicto Willelmo Doles et Margarete Caldor . . . statum saisinam et possessionem hereditariam predictarum terrarum . . . tradatis et deliberetis.’  
(*Cawd.*, 75.)

On 3rd January 1509-10 a discreet man, Sir William Caldour, Vicar of Evan, made a protest with respect to his lands of Litol Urchtny, which was witnessed by, amongst others, William Doles of Budwitt (*Cawd.*, 120), and on 10th November 1510 he again appears as a witness, his appended seal bearing a heron's (?) head contourné and on a chief three mullets, with the legend *Sig. vilelmi Dallyas*. (*Laing's Sc. Seals*.)

It is doubtful whether it was this William Dallas, or his father, who some time before the year 1510 sold to Master John Caldour, chantor of Ross, the fourth part of Mekil Budwit, with the Croft Blayr, which with other lands the chantor had destined by will to Hugh Caldour, the heir-male of the old thanes of Cawdor. (*Cawd.*, 122.)

On 10th April 1512 William Dallace of Bugget and Henry Dollace of Cantre served on a jury for the retour of William M'Culloch of Plaidis (*Invern. Sheriff. Ct. Rec.*, i.); on 21st July 1513 they appear on a jury for the retour of Thomas Patersone (*Ibid.*), and on 3rd October of the same year they again serve on a jury for the retour of the Lady Elizabeth Sutherland as heir of John, Earl of Sutherland, her brother. (*Invernessiana*, 194.) Finally, on 6th May 1515 Henry Dolles of Cantray and William Dolles of Budwit are amongst the witnesses to a contract of marriage between Alexander Caldor, a son of William, the lastthane of Cawdor of the old line, and Elizabeth, daughter of Hugh Rose, eighth baron of Kilravock (*Cawd.*, 185), and though evidence is again wanting, it appears probable that William Dallas of Budgate did not long survive, and that his lands passed to a son of the same name. It may, however, be concluded that the youth whose marriage was disposed of in 1458, when he may have been eight or ten years of age, or even older, was not still living in the middle of the sixteenth century.

### WILLIAM DALLAS III. OF BUDGATE

WILLIAM DALLAS OF BUDGATE is assumed to have succeeded to the family estates some time between the years 1515 and 1520. On 17th July 1520 Margaret Stewart, lady of Gordon and of the conjunct fee of the lordship of Badenoch, issued a precept of *clare constat* directing Allan M'Ane M'Allister, son and apparent heir of John Keyr of Rathamurchus, William Dolless of Buddet, John Ross in Narne, Donald M'Gillewe, burgess of Innernis, Thomas M'Ane M'Allister, and Thomas Clerk in Pettyn, as her bailies, to give sasine of the lands of Dunnachtane More and others, to Lachlan Makintoischye, as brother and heir of the deceased William Makyntoischye of Dunnachtane (*Mackint. Mun.*, 12). Dallas and his son, Alexander Doles, were witnesses to the sasine of the lands of Croy given to Alexander Doles of Cantray on 8th May 1522. On 13th February 1524-5 William Dolas of Budyet was one of the witnesses to 'Ane Indentur and Compromit betwix Sir John Campbell of Calder and Huchon Ros of Kilrawok, of mutual friendship and amitie.' (*Cawd.*, 148.) He is mentioned in a sasine in favour of his son in the year 1525, and on 27th April 1532 William Dolles of Buidvit, Alexander Dolles of Cantray, and others were witnesses to a protest by the knight of Cawdor against the prejudice of his right to the lands of Little Urchny and the crofts called the Sheriff's Crofts, by the sasine granted to the five daughters of the late Hugh Calder, sheriff of Nairn, in certain roods, acres, butts, tofts, crofts, and annual rents within the burgh of Nairn. (*Cawd.*, 153.) On 5th November 1533 John Ogilvy of Carnowseys and Durne issued a precept directing William Dolace of Budyait to give sasine to Sir

John Campbell of Cawdor, of the lands of Mekil Geddes and half Rait (*Cawd.*, 155), and on 14th April 1534 Alexander Dollace of Cantray and William Dollace of Budyeth served on a jury at Inverness for the retour of George Munro of Doucharte. (*Invern. Sheriff-Ct. Rec.*, i.) He was still living when, on 15th October 1540, his son entered into a second matrimonial engagement, but is mentioned as deceased in 1547, when his son Alexander had already entered into possession of the family estates.

## ALEXANDER DALLAS I. OF BUDGATE

ALEXANDER DALLAS OF BUDGATE first occurs as son of William Dallas of Budgate on 8th May 1522, in a Cantray charter already recorded, and three years later occurs a precept of sasine by Alexander Ogilby, Lord of Fynlater and Strathnairn, in favour of Alexander Dolles, son and heir-apparent of William Dolles of Budzeit, and Isabella Dunbar, his spouse, in conjunct fee, of the lands of Milton, of Cantramore, and the quarter lands of Dolleskayllye, dated at Findlater 14th July 1525. Either this marriage with Isabella Dunbar was annulled or the lady died before the year 1540, when Alexander Dallas entered into another matrimonial engagement, proved by the following charter :—

‘Omnibus hanc cartam visuris vel audituris Alexander Dolles filius et apparens heres Willelmi Dolles de Budyett salutem. . . . Noueritis me . . . dedisse . . . dilecte mee Katherine Campbell in sua virginitate pro toto tempore vite sue in dotem maritagii, et heredibus inter me et ipsam legitime procreandis . . . totas et integras terras meas de Myltoun de Cantraygald . . . jacentes in baronia de Strathnairn . . . Tenendas et habendas predictas terras . . . dicte Katrine Campbell in sua virginitate in dotem maritagii in vitali redditu pro toto tempore vite sue . . . apud Elgin 15<sup>o</sup> Octobris 1540 coram hiis testibus honorabilibus et discretis viris Archibaldo Campbell filio et apparente herede Johannis Campbell de Caldor militis Johanne Mountgumry Waltero Mountgumry. . . .

ALEX<sup>r</sup>. DOLLES of Galcantra.’

Following upon this charter sasine was taken on 21st October 1540, for 'honesta domicella, Catherina Campbell, et in signum huiusmodi sasine et possessionis per dictum ballivum (Archibaldum Campbell) tradite eidem, ballivus unum bouem rubeum colore lie brandit cum cornibus albis pro sasina bona recepit.' (*Cawd.*, 164.)

Cosmo Innes, in his book of the *Thanes of Cawdor*, has identified this Katherine Campbell with another Catherine Campbell, daughter of Sir John Campbell of Cawdor, who was married first to the Master of Ogilvie, and secondly to David Lindsay, ninth Earl of Crawford; but as this lady was certainly the wife of James Ogilvie, younger of Ogilvie, before 1st October 1539 (*Reg. Mag. Sig.*), and did not become a widow until his death on the disastrous field of Pinkie, 10th September 1547, her identification with the spouse of Alexander Dallas is obviously erroneous. Though there can be no doubt that Dallas's wife was a relative—possibly a niece—of Sir John Campbell, she certainly was not his daughter by the Lady Muriel Calder.

On 7th October 1544, Alexander Dallas was serving on an assize in the Sheriff Court of Inverness. (*Invern. Sheriff Ct. Rec.*, i.). A dispute arose at this time between Hugh Rose of Kilravock and Alexander Dolles of Budzeit regarding the fishings on the water of Nairn and a piece of ground lying between their lands. Certain arbiters were appointed, and a decret arbitral was pronounced at Kilravock on 28th March 1546, which was not recorded until 10th July 1744. (*Mac-kenzie*, 170.) Under this decret John Ross of Balevate, Alexander Dollas of Cantray, Arthur Tulloch of Balnahey, William Ross in Duldawt, James Ross in Leomacht, and Huchoun Fraser in Ardrosshan as arbiters decided that all the lands on the north side of the march between Kilravock and Budzeit and Dolleshalze was the property of Hutcheon Ross of Kilravock, and that all the lands along the march from east to west pertained to Alexander Dallas of Budzeit.

Thereafter we find a precept of sasine by James Ogilvy of Strathnairn, in favour of Alexander Dolles, son and heir-apparent of the late William Dolles of Boudweit, in the lands of Boudweit, Dolleschaylie, Milton, and Galcantray, all lying in the lordship of Strathnairn, dated in the year 1547. (*Cawd.*, 263).

Having no legitimate issue, Alexander Dallas, shortly before his death, resolved to make one of his natural sons his heir, and to this end obtained letters of legitimation in their favour. As there is some misapprehension as to the effect of such letters, it may perhaps be well to give their purport in the present instance in detail.

‘Queen Mary, with consent of James, Earl of Arran, Governor of Scotland, and her Tutor, grants Alexander Doles and William Doles, natural sons of Alexander Doles of Budzat, full power at any time of their life, or on deathbed, freely to dispone upon all their lands and possessions whatsoever and wheresoever they may be within the kingdom, and upon all their goods, moveable and immoveable, to whomsoever they shall think good, notwithstanding that they were born in bastardy, and that the escheats of such pertain to the Crown, with power also to enjoy all dignities, offices, honours and privileges, heritages and possessions in judgment and without, and if they shall have any lawful issue that they shall succeed to them, or if they shall die without lawful heirs of their bodies and without making lawful disposition of their estates then their nearest kin on father’s or mother’s side, and their heirs, shall have right to be served as their heirs just as if the said Alexander and William had been born in lawful wedlock. Granted under the Great Seal at Edinburgh, 8th January 1546.’ (*Reg. Mag. Sig.*, xxx. No. 80.)

In fact, such letters gave a bastard all civil rights from which bastardy precluded him.

Alexander Dallas died in October 1548, when he was succeeded by the elder of the two sons just mentioned, but no

record of the name of their mother has been transmitted, and in the absence of evidence it is perhaps futile to speculate upon the subject, yet the surmise cannot be resisted that they were the children of their father's first marriage with Isabella Dunbar, and that their illegitimacy was due to the verdict of an ecclesiastical court based upon some question of consanguinity. Such proceedings were by no means uncommon during the corrupt days of the moribund Romish Church in Scotland, being founded upon canonical obstacles existing between the parties, and though no relationship has been traced between the Budgate Dallases and the Dunbars, it is more than probable that such in fact existed. No doubt, had there been issue of the marriage between Alexander Dallas and Katherine Campbell, no steps would have been taken to legitimate these sons. It must be confessed that this suggestion does not go far to prove that they were the children of a marriage which had once been solemnised and afterwards annulled.



## ALEXANDER DALLAS II. OF BUDGATE

ALEXANDER DALLAS OF BUDGATE succeeded his father in the family estates in accordance with a settlement executed some time during the year 1548. On 8th March 1554-5 he served on the jury for the retour of Lord Gordon (*Invern. Sheriff Ct. Rec.*), and two years later, in April 1557, he was the defendant in an action raised by Alexander Dallas of Cantray and Patrick Dallas his son, to which reference has already been made. On 21st April 1561 Alexander Dollis of Budeth was Chancellor of an assize held at Inverness, from which Alexander Dollis of Cantray is mentioned as absent (*Invern. Sheriff Ct. Rec.*, ii.), and a glimpse of the social life of the period is obtained when on 31st October of the same year, Hucheon Roy, compearing at the Sheriff Court of Inverness, allowed that he had enacted himself to produce before the Sheriff 'ane tuay handit sourd quhilk wes arreisted in the said Huchonis hands and was acclamit be Alexander Dollace of Buddyt'; and now 'that quhair the said Alexander Dollace was possest with his awin sourd,' he claims to be relieved of this act, and takes instruments. (*Ibid.*) On 29th November 1561 Alexander Dollace of Buddyt and his neighbour of Cantray served on the jury for the retour of John Campbell of Cawdor (*Ibid.*); and on 4th March 1561-2 there is registered a contract dated at Edinburgh 3rd March of that year between Donald M'Intosche Willemson in Cullernie, and George Munro of Dalcartie, in which the said George Munro discharges all claim he has against the said Donald, and Angus his son, for the violent occupation of the lands of Conage within the barony of Petty; and he is content that Donald occupy the third part of these

lands until Whitsunday next, when he is to quit them, and the said Donald and Alexander Doless of Budget, his surety (who is unable to write), engage to refund all damages through breach of this contract. (*Bks. Counc. and Sess.*, v. 81.) It must have been about this time that Alexander Dollace of Bwiddeth was appointed a baron to go upon an assize for a weighty matter, but the fact is recorded on a loose leaf of the register, from which the date is omitted, as well as, unfortunately, the details of the weighty matter. (*Invern. Sheriff Ct. Rec.*, ii.) A question having arisen as to the marches between Kilravock and Holme, Hugh Ros of Kilravock, James Ogilvy of Cardale, superior of the lands of Holme, and Alexander Ros, their 'heritabill proprietar,' met upon the debatable lands, and on 14th September 1562 came to an agreement which was duly set forth by Master George Fraser, notary, and witnessed by, amongst others, Alexander Doles of Budwit and Patrik Doles in Croy (*Kilr.*, 235-7), and on 20th December 1566 these two were members of a jury for the retour of David Ros of Holme, who had now succeeded his father in these lands. (*Invern. Sheriff Ct. Rec.*, i.) On 20th May 1567 the laird of Budgate was one of the witnesses of the Bishop's charter of the lands of Croy to Henry Dallas of Croy; and a few years later the particulars are disclosed of his succession to his father's estates, for on 6th October 1573 Patrik Dollas of Duiris and others are recorded as serving on an assize for the retour of John (?) Fraser of Aberchalder, and also for that of Alexander Dollis of Buddet, which proceeds as follows:—

'Who being sworn say that the late Alexander Dollas, son and apparent of William Dollas of Budzet, father of Alexander Dollas of Budzet, bearer of these presents, died last vest and seized as of fee at the peace and faith of the mother of our supreme Lord the King of all and hail the half of the lands of Estir Braychlycht with pertinents lately belonging to Sir John Campbell of Calder, knight, lying in the lordship of Petty and Brachlie and within the sheriffdom of Inverness, and that the said

Alexander Dollas, son and apparent heir [? grandson] of William Dollas of Buidzet, is the nearest [heir] and successor to him by reason of entail and charter of alienation made by the deceased Sir John Campbell of Calder, knight, to the late Alexander Dollas, son and apparent heir of William Dollas of Buidzet and Catherine Campbell his spouse, and the survivor of them and their children born, or to be born, and because there is no survivor nearer by the foresaid charter to succeed to the said lands they pass now to his natural son and his heirs and assignees. The lands are valued at 33s. 4d., and are held in chief of John Campbell of Calder, son and heir of the late Archibald Campbell of Calder, knight, and grandson of the late Sir John Campbell of Calder, for payment of four pennies Scots, in whose hands they are through the death of the said Alexander Dollas, father of the said Alexander Dollas now of Budzet, who died in October 1548.' (*Invern. Sheriff Ct. Rec.*, i.)

Although in the retour of 1573 William Dallas of Budgate is described as being seized as of fee in the lands of Easter Bracklie, they were only held by his son on a wadset, for on 29th May 1574 Alexander Dolles of Buddet, then described as heritable possessor of the half of the west town and lands of Easter Bracklie in the lordship of Petty and Bracklie and shire of Inverness, acknowledges that these lands, held by him from Sir John Campbell of Calder, have been lawfully redeemed by John Campbell of Calder, who had power so to redeem them in terms of letters of reversion made by the deceased Alexander Dolles of Buddet, son and apparent heir of the deceased William Dolles of Buddet, father of the said Alexander Dolles of Buddet, to the foresaid Sir John Campbell of Calder, but under reservation of his tack of the said lands for three years. (*Prot. Bk.*, W. Cuming, No. xxxii. fol. 47.)

The lands of Dallaschyle had also been wadset, as on 26th September 1574 Alexander Dolles of Buddeth warned William Tulloch to compear in the Kirk of Nairn on the 6th November

following, to receive the sum of one hundred merks contained in a reversion made by the deceased Arthur Tulloch to William Dolles of Buddeth for the redemption of the lands of Dalleschelle. Thereupon instruments were asked at Bannekeith, and two of the witnesses were Patrick Dolles of Durris and Alexander Dolles of Durris. (*Ibid.*, fol. 61.) This was doubtless preliminary to the granting of a charter of life-rent by Alexander Dolles of Budgate to his spouse, Margaret MacIntosh, of the lands of Dolaschaille, dated 19th November 1574. (*Cawd.*, 263.)

Disputes arose between Hugh Ross of Kilravock and Alexander Dolles of Budget with regard to salmon-fishing before the place of Kilravock, but these were amicably settled by an agreement dated 26th April 1580, into the particulars of which it is needless to enter. (*Prot. Bk.*, W. Cuming, No. xxxii. fol. 233.)

The laird's first wife, Margaret Mackintosh, must have died about this time, as on 14th May 1582 is recorded the sasine of Marjorie Straythauchin in liferent in the lands of Dallaschyle on a charter and precept under the subscription of Alexander Dolles of Buddet (who signs by a notary), and sealed with his own seal of white wax impressed with red, directed to John Dolles in Cantradoun as his bailie, and dated at Inverness 8th May 1582, amongst the witnesses there being John Dolles in Cantrey, William Dolles in Cantreyfreis, and James Dalles, son of Alexander Dolles of Buddethe, while among the witnesses to the sasine are John Dolles in Cantrey and John Dolles, son to Arpitill Dolles in Cantra. (*Prot. Bk.*, W. Cuming, No. xxxix. fol. 19.) This lady was one of the three daughters and co-heiresses of George Strachane of Cullo-din, of whose ward, marriage, non-entry and relief Lachlan M'Intoische of Dunnachtin had become the donator before 12th December 1576, when Margaret Straychan, another of the daughters, was contracted with Huchon Ross, son of the deceased James Ross, sometime in Lyonach. (*Mackint. Mun.*,

112.) On 4th November 1582 Marjorie Strachan, Dallas's wife, described as the eldest of the three lawful 'sisters' of the deceased George Strachan of Cullodyne, had sasine on a precept from Chancery in the third part of the lands of Easter, Mid, and Wester Collodyne, etc., the witnesses to the sasine being John Dolles in Cantray, Alexander Ros, son of John Ros in Cantraydoun, and Alexander Dolles in Hullcrest. (*Prot. Bk.*, W. Cuming, No. xxxix. fol. 16.) The Culloden property did not, however, long remain in her hands, for at Moye Hall is preserved a discharge by Marjorie Straythauchin, spouse of Alexander Dollace of Bwdeit, and her said spouse, to Lachlan M'Yntoysche of Dunnachtane for 800 merks for her third of the towns of Wester, Mid, and Easter Cullodyne and Culquhonak, with the third of the mills, etc., which they have sold to the said Lachlan M'Yntoyschie and Agnes M'Kenzie, his spouse; dated at Inverness 4th December 1582, and witnessed by William Baillie of Dunnane, and John Cuthbert, John Kar, Robert Waus, and William Cumming, burgesses of Inverness. (*Mackint. Mun.*, 131.) It was perhaps to this marriage that the Kinrara manuscript referred when recording the presence at Lethin of Lachlan Mackintosh, Captain of Clan Chattan, at the marriage of one of the Dallases of Budgate in February 1581-2, while the close intimacy of relationship between Mackintosh and Dallas is vouched for by the inclusion of Alexander Dolles of Budyett amongst Lachlan's kin in a contract of appointment concluded between Mackintosh and Calder at Ardrosseyr, 17th June 1581. (*Cawd.*, 182-3.)

Towards the close of his life the laird appears to have divested himself of the fee of his estates in favour of his son, for on 16th May 1590 Alexander Dolles of Budyett granted a charter to William Dolles, his son and heir-apparent, of the lands of Budyettmoir, Dallaschyle, Nether and Over Galcantray, etc. (*Cawd.*, 264), but he undoubtedly retained the liferent until his death.

Though no details of the affair have been transmitted,

there would appear to have existed, towards the close of the sixteenth century, a violent dispute between the Roses and the Dallases of Budgate, the laird of Cantray, it would seem, ranging himself on the side of the former, no doubt on the score of close consanguinity and friendship. Of this feud the only record now existing appears to be contained in two bonds of caution of the year 1593, by the first of which Hucheon Ros of Kilrawak and David Ros of Holme, as principals, bind themselves, each in 500 merks, not to harm Alexander Dolles of Budyett, or Williame Dolles, his son and apparent heir, subscribed at Kilraak, 1st September, before Williame Ros, apparent of Kilraak, Johnne Ros of Cantray, Williame Ros and Alexander Ros, servants to the said Laird of Kilraak ; while by the second Alexander Dolles of Cantray becomes caution for Williame Dolles of Ballechreist, and Henry Dolles, his son, each in 500 merks, not to harm the said Alexander and Williame Dolles, also subscribed at Kilraak, 1st September, before Hucheon Ros of Kilraak, William Ros, his son, David Ros of Holm, and Johnne Ros of Cantray, John Ros, notary public, subscribing for the principals. (*Reg. Priv. Counc.*, v. 566-7.)

After this date the name of Alexander Dallas of Budgate has not been traced in the records, so that it can only be stated that he was dead before Whitsunday 1597, when his son was in possession of his lands. It would, however, appear that the lands of Budgatemore, Dallaschyle, and Galcantray had been sold by the laird, before his death, to Campbell of Cawdor, and that he was able to transmit to his heirs a wadset upon the property redeemable at any time by a money payment of 10,000 merks.

Alexander Dallas married, first, Margaret Mackintosh, doubtless a near relative of the Captain of Clan Chattan, who died apparently about the year 1580 ; and, secondly, in 1582, Margaret, elder daughter and co-heiress of George Strachan of Culloden : by the former he was father of William, his heir

and successor, and James, who is casually mentioned as a witness on 5th May 1582. It is probable, however, that he had several other children, possibly by both marriages, some of whom may well have been the ancestors of those numerous Dallases, presently to be mentioned, to whom it has been found impossible, with the information at present at command, to assign a place in the family genealogy.

## WILLIAM DALLAS IV. OF BUDGATE

THE first appearance of William Dallas is on 22nd March 1585, when, as 'apparent of Buddet,' he witnesses a Cantray precept, and five years later he had from his father a charter of Budgate lands as already recorded.

'On 22 July 1590, Katherene Roiss Lady Fowlis [was] Dilatit of certane crymes of witchcraft. . . .

'The samyn day, Daudid Roiss of Holme and William Dolace apperand of Buddet, Donald Ross of Balnamukkie, Thomas Vmphra in Elgyn, and John Innes of Lewcheris, oftymes callit, to compeir befor the Justice or his deputes, the said day and place, in the hour of cause, to haif past vpoun the Assyis of the said Katherine, dilatit of the crymes aboue writtin ; lawfull tyme of day biddin, and nocht comperand to that effect ; they and ilk ane of thame wes vnlawit, in the pane of fourtie pundis.' (Pitcairn, *Crim. Trials*, i. 201.)

They probably disliked the duty of sitting in judgment upon the wife of a near neighbour, and the daughter of Alexander Ross of Balnagown, who claimed kinship with the Roses.

On 1st May 1593 he became cautioner for Alexander Dolles of Cantra and others, and was concerned with his father in his disputes with the Holme Roses.

In 1597 he was, at the instance of Sir John Campbell of Cawdor, decerned, by decree of the Lords of Council, to remove from the lands of Budgate, but he found means to evade this decree, and continued to defy the demands of the Campbells for the possession of his patrimony.

On 6th May 1605 he granted a charter to William Dallace,



his son and heir-apparent (procreated between him and the late Margaret Dunbar, his sometime spouse), and to the heirs-male of his body, whom failing to the heirs-male bearing the surname and arms of Dallas, of the town and lands of Mekill Budzet, Dollascheill, Eastern and Western Galchantray, reserving the usufruct or frank-tenement thereof to himself. (*Cawd.*, 264.)

On 27th April 1607 he was one of the cautioners for a loan made by Alexander M'Kenzie, apparent of Garloche, to Lachlan M'Intoshe of Dunnachtin (*Mackintosh Mun.*, 59), and on 1st July 1611 he was one of those who served on an inquest at Nairn for the retour of Hugh Rose of Kilravock as heir to his father, William Rose of Kilravock. (*Kilr.*, 304.) No later reference to him has been found beyond the fact that his death occurred in 1616.

His first wife was Margaret Dunbar, above mentioned, who was the mother of William Dallas, his heir. He married, secondly, Margaret Hay, who as his widow had become the spouse of Alexander Dallas in Galcantray before the year 1619. Save his son and heir, no record has been found of any issue by either marriage, though there can be little doubt that other children were born to him.

## WILLIAM DALLAS V. OF BUDGATE

WILLIAM DALLAS was a minor when, in 1616, he succeeded his father in the Budgate lands, the fee of which had, however, already been granted to him by his father's charter in 1605; he was served heir to his grandfather, Alexander Dolles of Budzett, in the lands of Budzettmoir and Dolleschyle, of Nether Galcantray, with the mill, and of Over Galcantray, in the barony of Strathnairn, 28th April 1618. (*Inquis.*, i., Inverness, 36.)

He was not, however, permitted to hold the lands in peace. At the Court at Inverness, 8th May 1619, process was entered by John Campbell of Calder, knight, before the Lords of Council and Session against William Dollas, son and heir, at the least charged to enter heir and behaving himself as heir, to the deceased William Dollas of Budzett, his father, for the violent profits or the value and price thereof as libelled of the lands of Meikle Budzett, Dollassyll, and Galcantray, with the mills and mill lands for the years libelled, violently occupied by the said deceased William Dollas and others in his name from Whitsunday 1579, at which time he was decerned, by decree of the said Lords of Council, at the complainer's instance, to remove from the said lands and others, but removed not and violently possessed the same until the year 1616 that he died, thus amounting to twenty years. The said William succeeded 'in the vice and violence of his said umquhill father,' and the complainer seeks from him and his tutors and curators, if he has any, the said profits for the three years since his father's death, and to remove his wife, family, and goods from the said lands. The complainer has also action

before the said Lords against Margaret Hay (described as conjunct fiar of Galcantray), relict of the deceased William Dollas, and Alexander Dollas, now her spouse, for his interest as succeeding in the place of the said deceased William Dollas in the labouring of the said lands of Galcantray, with the mill thereof, for the years libelled (1616-1618), and he craves inhibition against them, which is granted. (*Part. Reg. Horn. and Inhib.*, Inverness, iv.) The decree is dated 12th March 1619, and in it William Dallas is described as a minor.

On 20th December 1620, when he witnesses a charter by John Campbell of Calder in favour of James Campbell of Auchindoun, he is described as 'lately' of Budzet (*Sas. Reg.*, Elgin and Nairn, ii. 6); and at Budgate on 4th November 1623, William Dollas of Budzet, in fulfilment of a contract between him and John Campbell, fiar of Calder, resigned and renounced in favour of the said John Campbell the whole lands of Budzeitmoir, etc., and that for the sum of 10,000 merks paid to him by the said John Campbell, fiar of Calder, 'so that baith propertie and superioritie is now consolidat in the persoun of the said John Campbell.' (*Cawd.*, 264.) Notwithstanding this absolute conveyance, William Dallas and his successors continued to occupy the lands, and to be styled 'of Budgate,' for just a century beyond this date.

A few years later some right to Budgate seems to have passed to Duncan Forbes, an Inverness merchant, for on 20th November 1630 John Campbell, fiar of Calder, gave sasine to Duncan Forbes of Budzett of the lands of Nether Galcantray, the witnesses being William and John Dollas in Budzett (*Reg. Sas.*, Inverness, iv. fol. 263); and on 28th May 1631 Duncan Forbes, burgess of Inverness, and Janet Forbes, his spouse, granted to William Dollas of Budzet a charter of the lands of Budzet, Newton of Budzet, and Dollaschyle, the witnesses being William Dollas of Cantray and John Forbes, the granter's son. (*Protocol Bk.*, lxxi.) No explanation of these transactions has been found.

It seems not improbable that the laird eked out a precarious income by becoming a writer, for a deed of sale of household goods by Sir John Campbell of Calder was 'vryttin be William Dollas of Budyet, at Calder, 13 Junii 1636' (*Cawd.*, 282); and in the same year, on 4th June, he was a witness at Inverness of a renunciation by 'John M'Queine son and heir lawful gotten betwix the deceased Donald M'Queine, persone of Pettie, and Agnes Douglas, his spouse,' in favour of David, Earl of Murray, of the town and lands of Midcoull. (*Reg. Sas.*, Inverness, v. fol. 330.)

Between the years 1639 and 1649 the laird entered into a number of bond transactions for the purpose of raising money. They had, however, no immediate bearing upon the progress of events during the lifetime of William Dallas, and will be cited later in discussing the apprising of the Budgate lands by John Dallas, Dean of Ross, in 1654.

On 8th January 1642 an action was brought by William Dallais of Budiatt as cautioner for Eupham Campbell, relict of James Campbell of Auchindowne and his executrix appointed by his testament dated 28th January 1635, and confirmed on 9th April following, when William Dallas became cautioner for her, paying all lawful claims under the will; in this she obliged herself to relieve him of all damage. He now pursues her and Allan M'Intosh of Daviot, her spouse, for this relief; which they refuse, and therefore he seeks inhibition, which is granted. (*Horn. and Inhib.*, Inverness, N.S., i.) There is no obvious reason why the laird entered into this cautionary, but it is possible that Eupham Campbell was a relative of his son's wife.

In the Parish Register of Dyke there is recorded on 24th October 1647 a Sabbath marriage proclamation between William Dollas and Christian Stewart; no designation is given to either party, but in a charter by John Dallas, Dean of Ross, dated 23rd September 1658, mention is made of Christian Stewart, 'mother-in-law' of John Dallas, obviously the widow

of William Dallas of Budgate, who is thus proved to have been twice married.

The laird was evidently upon the closest terms of friendship with the lairds of Cawdor, for on 22nd April 1650 he was one of the six signatories of a writ setting forth the military precautions necessary 'for maintaining the hous off Calder dureing the present and apareand trublis.' (*Cawd.*, 291.) He did not, however, long survive this date, and was certainly dead before 24th July 1652.

He was twice married, but the name of his first wife has not been discovered. By his second wife, Christian Stewart, he is not known to have had issue ; by his first he had :—

1. Alexander, of whom below.
2. John, some time of BUDGATE, Dean of Ross, etc.
3. James, of KIRKMICHAEL.
4. Hugh, of BUDGATE, W.S., Commissary Clerk of Ross.
5. George, of St. MARTINS, W.S., Edinburgh.
1. Margaret, wife of George M'Culloch, burgess of Fortrose.

On 2nd September 1670 sasine is given to George M'Culloch, burgess of Fortrose, Margaret Dallas, his spouse, and John M'Culloch, their son, on a wadset to them by Hew Dallas of Ferritoun, whom failing, to George M'Culloch, their second son, or to the heirs of George M'Culloch, whom failing, to George Dallas, son to the said Hugh Dallas, and their assignees whatsoever, in the right of the tailzie of the lands called Insche, with the crofts adjacent, in the parish of Kirkmichael, under reversion of 3000 merks, it being provided that this sum when paid 'be of new waired and given out be advyce of me the said Hugh or my aires that the liferent and tailzie above writtin may remaine and continow in maner above mentioned ; and farder it is heirby provydit that the said George with consent of me and my aires and failzieing of me and my aires minoritie with consent of George Dallas,

my brother, may grant renunciation and redemption of the said lands.' The disposition on which sasine is given is dated at Chanonrie, 24th August 1670. (*Reg. Sas.*, Inverness, iv. fol. 60.) On 18th October 1683 there is renunciation and discharge by George Mackculloch, only lawful son now on life of the deceased George Mackculloch, burgess of Fortrose, and Margaret Dallas, his spouse, wadsetter of the lands of Insch, and heir of the deceased John Mackculloch, his brother-german, whereby, with the consent of his mother, he renounces these lands. The disposition by Hugh Dallas, Commissary Clerk of Ross (in which he is designed of Ferritoun), dated 24th August 1670, and the sasine following are referred to, and it is narrated that the said renouncer was on a precept of *clare constat* by George Dallas of St. Martins, as superior, dated 19th August 1674, served heir to his said brother and infeft on 11th May 1675, and now George Dallas of St. Martines, having the heritable and irredeemable right of the said lands of Ferritoun and all right of reversion 'competent to him and William Dallas, his son,' of the said lands of Insch, has for himself and in name of the said Hugh and William Dallas made payment to the renouncer and the said Margaret Dallas, his mother, of the said sum of 3000 merks. (*Reg. Sas.*, Inverness, v. fol. 247.) Following this, on 22nd October 1683, is an instrument of resignation by George Mackculloch in favour of George Dallas of St. Martins, the resignation being made to George Dallas in Henry Ross's dwelling-house in Ardersier before Mr. John Dallas, Dean of Ross, and William Dallas, merchant in Inverness. (*Ibid.*, v. 248.) Then on 12th November 1683 George M'Culloch and Margaret Dallas, his mother, have sasine in terms of a bond of obligation by George Dallas of St. Martins, W.S., stating that in

satisfaction of the 2500 merks remaining of the principal sum of 3000 merks mentioned therein, the said George Dallas, with consent of Hugh Dallas, Commissary Clerk of Ross, agrees to infest Margaret Dallas in liferent, and her son George Mackculloch, and his heir, whom failing, Mr. John Dallas, eldest lawful son to Mr. John Dallas, Dean of Ross, and his heirs, in fee, under reversion, in an annual rent of £100 secured over Easter Balblair. The disposition is dated at Ardersier, 22nd October 1683, the witnesses being Mr. John Dallas, Dean of Ros, and William Dallas, burgess and merchant in Inverness, while to the sasine one of the witnesses is Alexander Dallas, son to Mr. John Dallas, Dean of Ross. (*Ibid.*, v. fol. 251.) Finally, on 18th April 1693, is sasine of Margaret Dallas, relict of George Mackculloch, and George Mackculloch, their only lawful son now on life, in terms of a disposition dated at Edinburgh 15th March 1693, by George Dallas of St. Martins, W.S., to the said Margaret Dallas, his sister, in liferent, and to the said George Mackculloch, her son, and Margaret M'Kenzie, his spouse, and their heirs, of his two and a half oxgates of the lands of Caituall in the barony of Foulls and parish of Kiltearn, one of the witnesses being John Dallas, 'my sone.' John Dallas, N.P., the notary, gives the motto, *Veritas vincit*. (*Ibid.*, v. fol. 614.) The date of the death of Margaret Dallas is not known.

ALEXANDER DALLAS of Galcantray, the eldest son, did not succeed to the paternal estate of Budgate, which was appraised by his brother, John Dallas, Dean of Ross. In 1634 he graduated at Marischal College, and on 16th May 1642 he was witness (as 'Mr. Alexander Dollas apparent of Budzett') to the sasine of Christian Dunbar in the lands of Cantrayfries, on her marriage with Alexander Dallas of Cantray. On 23rd April

1644 there is sasine to Mr. Alexander Dollas and Jonet Campbell, now his spouse, on a charter dated at Aulder, 26th February 1644, by William Dollas of Budzett, his father, to the said Mr. Alexander Dollas and Jonet Campbell, then his future spouse, and their heirs-male, of the town and lands of Little Budzett, with the woods and whole pertinents lying in the parish of Ardelach, Alexander Dollas, fiar of Cantray, acting as bailie (*Reg. Sas.*, Elg. and Nairn, iii. fol. 343) ; but they did not long hold these lands, as on 21st November 1649 they granted a charter of Little Budzeate to Hugh Campbell and Agnes M'Intoische, his future spouse, of which they had sasine on 29th November following. (*Ibid.*) There is a renunciation dated at Calder, 8th December 1648, by Colin Campbell of Clunes, cedent, and Mr. Alexander Dollace, apparent of Budzet, and Jonet Campbell, his spouse, daughter of the said Colin Campbell (assignees), in favour of James Grant of Frewquhye, son and heir of the deceased Sir John Grant of Frewquhye, of the lands of Over and Nether Finlarg, in the regality of Spynie and shire of Elgin and Forres, held in reversion for 2500 merks, conform to a contract of wadset dated at Lethen, 8th May 1633, to which Alexander Dollas and his spouse had right by assignation dated 19th February 1644. (*Reg. Sas.*, Elg. and Nairn, iii. fol. 440.) On 14th October 1648 he (as 'Mr. Alex<sup>r</sup> Dolas of Galla Ca'trezie') was nominated one of the elders of the kirk session of Croy, though it was not until 8th December 1649 that there is sasine on a charter dated at Brodie and Lethen, 20th October 1649, by Hugh Campbell of Galcantray in favour of Mr. Alexander Dollas, apparent of Budzett, of the lands of Nether Galcantray, with mill, mill lands, etc., and the town and lands of Over Galcantray, with tofts, crofts, etc., with salmon fishing on the water of Nairn. (*Part. Reg. Sas.*, Inverness, vii. fol. 67.) From a long letter published in *The Book of the Thaness of Cawdor* (p. 292), dated 20th May 1660, and containing 'Instructions from the Tutor of Cawdor to Alexander Dollas of



Galcantray,' it would appear that he held some appointment of factory on the Cawdor estate ; the Tutor concludes, ' Com-mending yow and your bedfellow to the Lord, I subsist your loving freind, Geo. Campbell.' Whether he ever effectively succeeded to his father's lands of Budgate is not clear, but he could not long have enjoyed them, as he died before, but probably not long before, 24th July 1652. He had issue :—

1. John, from whom the lands of Budgate were appraised by his uncle, John Dallas of Budgate, 18th August 1652, when he was a student at Tain. On 31st January 1653 he was warned at the instance of his uncle, John Dallas, to enter heir in special to his deceased father, but he died, no doubt unmarried, before 21st December 1654, when a summons at the instance of his uncle, John Dallas, mentions George Dallas as oye and heir of the deceased William Dallas of Budgate, his grandfather.
2. George, who was a witness to the warning given to his brother John with reference to the apprising of 18th August 1652. He is described as ' son lawful to the deceased Mr. Alexander Dallas of Galcantray and oye and heir to the deceased William Dallace of Budgate his guidchir ' in the summons of 21st December 1654, above referred to, and he is so described in an ordinance of the Commissioners dated 13th October 1656, directing the Laird of Calder to infest John Dallas, his uncle, in the lands of Budzett. He is again described as heir in the sasine of Mr. John Dallace in the lands of Budzett given on 6th April 1658. No further reference has been found to him, but he was in all probability the ancestor of Alexander Dallas of NORTH NEWTON.
3. Patrick, was witness to the service of a writ upon his brother, George Dallas, on 24th July 1656, but he has not been identified later.

As George Dallas, above referred to, son of Alexander Dallas of Galcantray, is stated by Mr. Dallas, the author of this work, to have been 'in all probability' the ancestor of Alexander Dallas of North Newton, the editor has introduced the genealogy of his family at a later stage in this history.

About this period there appeared Robert Dallas, elder, 'Alexander's son,' and Robert Dallas, younger, 'James's son,' both merchants in Inverness. After a careful examination of the records, the editor has come to the conclusion that Robert, senior, was a younger son of Alexander Dallas of Galcantray, whose children were evidently all in pupilarity at the death of their father. Robert Dallas had the following children: (1) Liliias, *bp.* 18th June 1677—witnesses, Thomas Watson, collector of the shire, Donald Fraser, merchant, Donald Forbes, merchant, and Robert Dallas, younger; (2) Margaret, *bp.* 6th June 1679—witnesses, John Lockhart, Matthew Patersone, Donald Grant, and Simon Fraser, merchants; (3) James, *bp.* 18th November 1680—witnesses, James M'Intosh, James Dunbar, and James Corry, merchants; (4) Loeline and Magdalene, *bp.* 31st January 1682—witnesses, William Dallas, David Duff, Simon Fraser, and Thomas Hossacke. The names of the witnesses are all significant of the relationship and connections.

Consideration of the witnesses to the baptisms of the children of Alexander Dallas, cordiner burgess of Edinburgh, and his connection with the Budgate line, lead the editor to conclude that he was also a son of Alexander Dallas of Galcantray, as will be hereafter shown, notwithstanding the statement in some of the legal pleadings that he was no blood relation.

## JOHN DALLAS I. OF BUDGATE

WITH the death of William Dallas of Budgate ended the direct descent of those lands from father to eldest son. John Dallas, the second son of William, now secured them by an apprising from the direct heirs, and for a few years continued to hold them through this process of law.

He was born about the year 1625, and was educated for the Church. He entered as a student at Marischal College, Aberdeen, in 1637, taking his Master's degree in 1643. He then went through a course of theology, and some time before 4th July 1649 was appointed minister of Tain, when he must have recognised the Presbyterian form of Church government, which had been revived by the General Assembly in 1638, and ratified by Parliament in 1641. His first appearance in his ministerial capacity is on 19th February 1650, when he and Mr. Robert Munro, 'from the presbytrie of Taine,' desired the assistance of the presbytery of Dingwall for the trial of 'a scandall' against Mr. John M'Kenzie and Elizabeth Bayne. (*Rec. Presb. Invern. and Dingw.*) On 5th September 1654, and again on 15th May 1655, he appears at the meetings of the Presbytery of Dingwall as assessor from Tain, and on 15th October of the latter year he gave a written testimonial to Mr. Murdo M'Kenzie, which the Presbytery apprehended 'could not be receaved better then befoire the provinciall,' to which it was referred. (*Ibid.*)

It must have been immediately after the death of his elder brother, Alexander Dallas of Galcantray, that he commenced proceedings which put him in possession of the lands of Budgate, and on September 1652 'the Commissioners for

the Administration of Justice to the People of Scotland ' ordain John Campbell of Caddell and George Campbell, his brother-german, to infeft Mr. John Dollas, minister at Tayne, in the following lands which pertained to Mr. Alexander Dollas of Galcantray, viz. Nether and Over Galcantray and fishings on the Nairn, the lands being bounded by the lands of Cantrayfreiss on the west, going from the Water of Nairn to the little hill or knowe called Rywatschie, thereafter going to the mounth from the lands of Auchindoun to the east, and to a common hill or muir called the mounth at the south, with the Water of Nairn on the north ; also in half the lands of Meikle Budzet sometime occupied in maines by umquhill William Dollas, servitor to the said Mr. Alexander Dollas, which, with the ground, right, and property thereof, and all tacks, decreets, etc., made to the said Mr. Alexander Dollas or his son [John] after mentioned, or their predecessors and authors, with all contracts, bonds, obligations, etc., and especially without prejudice to the above generality, ' the right of the Contract of Mariadge passed betwixt the said unquhille William Dollas and the said umquhille Mr. Alexander Dollas, his son, and [Janet] Campbell, his spouse on the ane and other parts,' whereby the said William Dollas disposed to his son the said half lands of Budget under reservation of the sum of 2000 merks, as specified in the said contract, which is dated [26th] February 1644 ; also another bond granted by Colin Campbell of Cammyes, as principal, and the deceased John Inglis, merchant in Aberdeen, as cautioner, for the said Alexander Dollas for 1000 merks, and which lands were appraised from the said John Dollas, son and lawfully charged to enter heir in special to the said Mr. Alexander Dollas of Galcantray, his father, and from his Tutors and Curators if he any has, at the instance of the said Mr. John Dollas, for payment of the sum of 2240 merks of principal and 112 merks of sheriff fee ; and the said lands are to be held of the said John Campbell of Caddell and his Tutor as the said umquhill

Mr. Alexander Dollas or his said deceased father held the same before this apprising.

This apprising was led in the Tolbooth of Tayne on 18th August 1652, John Hay, messenger, having on 24th July 1652 gone to the said Mr. Alexander Dollas's dwelling-house in Budgett, 'wherein he used to have his residence quhill he wes one lyff,' and thereafter to the ground of the lands and diligently searched the moveable goods pertaining to the said John Dollas, to have poynded and apprised the same, and having also made proclamation at the Market Crosses of Inverness and Tayne, the latter being the head burgh of the shire of Ross in which the said John Dallas has his residence, on 27th July, and lawfully apprised the said lands. To the personal warning of the party George Dollas and Patrick Dollas, students in Tayne, were witnesses. (*Gen. Reg. Decreets of Appris.*, v.) On 26th February 1653 a similar order was directed to the Campbells to infeft Mr. John Dallace, minister of Tain, in the lands of Galcantray and Budzett, formerly heritably belonging to Mr. Alexander Dallace, which, with all right competent 'to the said John Dallace as air foresaid,' with all contracts and rights competent to the deceased Mr. Alexander Dallace, or to the said John Dallace, his said son, and who is lawfully charged to enter heir in special to his father at the instance of Mr. John Dallace for a debt of 9560 merks of principal and 478 merks of sheriff fee. The lands are to be held by Mr. John Dallace as freely as the said Mr. Alexander Dallace held them, or as the said John Dallace, his son, might have held them if he had been infeft. John Dallace was personally warned on 31st January in the burgh of Tain, James Dallace and Alexander Dallace in Budzett being witnesses. (*Ibid.*, vi.)

The young heir must have died shortly after this decret, for on 21st December 1654 there is a summons by Oliver Lord Protector at the instance of Mr. John Dallace, minister of Tayne, narrating that the deceased William Dallace of

Budget as principal, and William Dallace of Cantray and Alexander Dallace, fiar of Cantray, as cautioners, granted a bond, dated 3rd June 1639, for 600 merks to Angus M'Intosh in Coull and Isabell M'Queen, his spouse; that the said William Dallace of Budzet granted another bond for 200 merks on 10th December 1646 to the same person, and that M'Intosh assigned both bonds to the complainer on 20th June 1653. Further, that William Dallace of Budzet granted a bond on 15th June 1641 for 200 merks to David Hay, burgess of Inverness, which was also assigned to the pursuer. Likewise William Dallace of Cantray and his eldest son, on 24th June 1647, granted a bond for 1000 merks to Francis Brodie in Ballivat, brother-german to Alexander Brodie of Lethen, which he assigned on 20th June 1653 to William Grant in Budzet, brother-german to John Grant of Moyness, who again assigned it to the pursuer on 2nd December thereafter. Further, William Dallace of Budzet and Mr. Alexander Dallas, fiar of Budzet, his son, on 16th June 1649 granted a bond for 500 merks to Mr. Donald M'Pherson, minister at Calder, and Agnes Calder, his spouse, which they assigned on 27th December 1652; and among other bonds there is one for £400 granted by William Dallace of Budzet and Mr. Alexander Dallace to Andrew Hendrie and Sarah Fullerton, his spouse; all of which sums are still addebted, and for payment the pursuer sues George Dallace, son lawful to the deceased Mr. Alexander Dallace of Galcantray, and oy and heir to the said deceased William Dallace of Budzet his guidchir and as charged to enter heir to him. A marginal note intimates that the defender did not appear, and that decree was given in favour of the pursuer. (*Ct. Sess.*, Decrees, Dalrymple's Office, xx. p. 31.)

On 13th October 1656 the Commissioners again ordain the Laird of Calder to infeft Mr. John Dallace, minister at Tayne, in the lands of Meikle Budzett, Little Budzett, Newton of Dallashiel in the shire of Inverness, and of Inchgeddell in the

shire of Nairn, which all pertained heritably of before to William Dallace of Budzett, with all right belonging or competent to George Dallace of the same as if he were entered and infeft as 'hair' to William Dallace, 'his guidsir,' which are apprised from the said George his 'oy,' and heir of the said William Dallace, for a debt of 5415 merks of principal and 217 merks of sheriff fee. Service of the summons was made upon George Dallas at his dwelling-house on 24th July 1656, one of the witnesses being Patrick Dallace, his brother-german. (*Gen. Reg. Decr. Appris.*, x.)

Some time elapsed before effect was given to this decreet, but on 7th May 1658 there is registration of sasine dated 6th April 1658 by Hugh Dallace, merchant, burgess of Tayne, as bailie to Mr. John Dallace, minister at Tayne, who went successively to the grounds of the lands of Inscheddell, the lands and manis of Meikle Budzett and manor place thereof, the lands of Dallaschyle, the lands of Newton, and lastly the lands of Little Budzett and others after mentioned, having a charter containing the precept afterwards inserted granted to the said Mr. John Dallace and his heirs-male, etc., heritably by Hugh Campbell, now Laird of Calder, superior of the said lands, which formerly belonged to Mr. Alexander Dallace of Galcantray, and were apprised from John Dallace, his son; also these lands pertained formerly to the deceased William Dallace of Budzett, and were apprised by Mr. John Dallas from George Dallace, his oye, as lawfully charged to enter heir in special to him. In the precept the right of Hugh Campbell of Auchendoune in Little Budzett is reserved, 'which shall not be prejudged by the foresaid confirmation.' It is also provided that so soon as it shall happen the said George Dallace, or any other heirs of the said William Dallace, pay to Mr. John Dallace or his heirs the sums of money, interest, and expenses for which the lands were apprised, they should immediately have access to the said lands, provided the redemption be made in due time. The precept is written by George

Dallace, writer in Edinburgh, and subscribed by Hugh Campbell of Calder, and Alexander Brodie of that ilk, at Edinburgh, 4th March 1658, witnesses being Alexander Jaffray of King-waittes, Director of the Chancery, Robert Irwing, servitor to said superior, Rodger Mowat, servitor to the Laird of Brodie, and the said George Dollace; by Joseph Brodie, also at Edinburgh the same day, Robert Irwing and George Dallace witnesses; by Alexander Brodie of Lethen, at Kinloss, 3rd April 1658, witnesses Mr. James Brodie, his son, and David Duncan in Kinloss; and by Francis Brodie, at Ballivat, 5th April 1658, witnesses the said Hugh Dallace, merchant, and Robert Dallace, his servitor; also by William Dallace at Cantray, 8th April 1658, witnesses Adam Smith in Calder and John Campbell in Galcantray. The witnesses to the sasine were, at Inchgeddell, Adam Smith in Calder, John Dunbar, servitor to Colin Dunbar in Budzett, Finlay Maacurrich there, and William M'Glashan in Bellachargon; at the manor place of Meikle Budzett and the other lands, the said Colin Dunbar in Budzett, Patrick Dunbar, brother-german to Alexander Dunbar, Bennetesfield, the said Adam Smith, Finlay M'Currich, and William M'Glashan; the notary being William Man. (*Gen. Reg. Sas.*, xiv. fol. 385.)

Possession of the family estates being thus secured, there is, on 1st December 1658, registration by Hew Dallas, writer in Edinburgh, of sasine, dated 12th October 1658, to John Rose, elder of Bredler, as attorney for Marie Rose, spouse to Mr. John Dallace, minister at Tayne, his lawful daughter, upon a charter of liferent by Mr. John Dallace to his spouse in terms of their contract of marriage in so far as extends to the sum of 4500 merks in the lands of Meikle Budzett, Inchgeddle, Newton, and Dollaschyle, reserving to Christian Stewart, mother-in-law of the said Mr. John Dallace, her liferent of Newton and Dollaschyle. The charter is dated at Tayne, 23rd September 1658, the witnesses being George Dallace, writer in Edinburgh, and the said Hew Dallace. To the



sasine William Dallace, maltman in Budzett, is a witness. (*Ibid.*, xv. fol. 292.)

While concerned with these more personal affairs, he was not apparently neglectful of his parish, for on 26th January 1665, Mr. John Dallas, minister of Tane, obtained the Council's warrant of apprehension against a number of persons who were denounced rebels, and put to the horn for not paying to him certain sums adjudged due from them 'for building and repairing off the parische kirk of Taine and kirkyeard dyke yroff'; the sheriffs, provost, and bailies of Tain are accordingly charged to 'seek tak and apprehend' these persons, and to keep them within the tolbuith upon their own proper charges ay and till they obey. (W. Macgill, *Old Ross*, etc., 63.)

Some time before 20th December 1664, John Dallas had been appointed Dean of Ross (*Reg. Sas.*, Inverness, ii. fol. 236), and before 18th April 1665 he was admitted minister of the parish of Ardersier. From this time he ceases to appear as minister of Tain, and is now usually, but not invariably, described as Dean of Ross.

On 2nd March 1667 the Dean obtained from Sir John Urquhart of Cromarty a bond to himself and Marie Ross, his spouse, for 7000 merks, by which Sir John Urquhart secured to them an annual rent of 420 merks secured over the lands of Newton, Neilston, Craighouse, and Navaties and numerous burgh roods and other lands about the town of Cromarty, including Kirkmichaell, Balblair, Ester Culbo, Drumcuddin, and Toberchurne (*Reg. Deeds*, Dalrymple, lvii.); this bond he afterwards assigned to his brother, George Dallas of St. Martins.

On 11th February 1667 the Venerable Mr. John Dollas, Dean of Ross, disposed the lands of Meikle and Little Budzett, Newtoun of Buidzett, Inchgeddell, and Dollashyll to Hugh Ross of Kilravock, one of the witnesses being Hugh Dollas, Commissary Clerk of Ross, and on 19th March following sasine was duly given. A few years later the Baron of Kil-

ravock conveyed his rights to Hugh Dallas, the Dean's younger brother, but notwithstanding these transactions, it would appear that some right of possession still remained to the Dean; and indeed on 20th June 1667 Mr. John Dallas, 'now Dean of Ross,' had sasine of these lands; one of the bailies in the precept of sasine is Hugh Dallas, merchant in Tayne, and Hugh Campbell of Inschdoun has his right in Little Budzet reserved; it also being provided that if George Dallas or any other of the heirs and successors of the deceased William Dallas pay to Mr. John Dallas the sums expended in apprising the lands they will have regress thereto. (*Reg. Sas.*, Inverness, iii. fol. 219.)

The Dean's wife, Mary Rose, died in July 1669. Not long after, on 26th February 1672, sasine (witnessed by William Dallas, writer in Fortrose) is given by Robert Urquhart in St. Mertines as bailie to James Dallas of Balblair as attorney for Mr. John Dallas, Dean of Ros, and Margaret Fraser, his spouse, in terms of a bond by Hugh Fraser of Kilbokie, her brother, disposing to them, but for her liferent use allennarly, the sum of 3500 merks secured over the two davoch land of Kilbokie in the parish of Urquhart. The bond, written by Hugh Dallas, notary, is dated at Kinveachie 23rd February 1672, but whether it was given before the marriage there is nothing to show. (*Ibid.*, iv. fol. 139.) It was subsequently renounced by the Dean and his wife to Hugh Fraser, 26th September 1672. (*Ibid.*, fol. 177.) In some unexplained way related to this was doubtless a suspension obtained 5th October 1675 by Mr. Hugh Fraser, minister at Kiltarlity, of the horning against him by Margaret Fraser, relict of Thomas Fraser of Eskidaill, and Mr. John Dallas, minister at Ardersier, now her husband. (*Reg. Horn.*, Inverness, N.S., viii.)

On 13th September 1680 he had sasine of the lands of Midcumlich in Strathriesdell, in the parish of Roskeine, disposed to him, 28th May 1678, by John Ross of Auchenacloich. (*Reg. Sas.*, Inverness, v. fol. 75.)

Admitted to the ministry at a time when the General Assembly had revived in its full vigour the exercise of Presbyterian government in the Church, John Dallas later conformed to the Episcopalian forms sanctioned by Parliament in 1662, but lived to see the bishops finally deposed and the Presbytery again established. Indications of the approaching change could be discerned long before the time when, in 1689, the Convention of Estates 'declared Prelacy a great and insupportable grievance to the nation, and that it ought to be abolished,' and it was doubtless in anticipation of this change that, on 18th October 1682, the Dean assigned to his son, William Dallas, merchant in Inverness, all his rights as Dean of Ross in the lands in the Dean's quarters in Kilmuir Wester, the said lands being taken off the Chanorie and forming part of the lands of Broomhill; the witnesses to the deed at Ardersier were John Dallas, lawful son to Hugh Dallas, Commissary Clerk of Ross, and Thomas Forbes, merchant in Fortrose. (*Reg. Decr. Bonds*, etc., Tain, 31st July 1683.)

He appears to have finally divested himself of Budgate in 1686, for there is a disposition, dated at Fortrose 22nd October of that year, by Mr. John Dallas, Dean of Ros, eldest son and heir of the deceased William Dallas of Budzett, and brother and heir of the deceased Mr. Alexander Dallas of Galcantray, to Hugh Dallas, Commissary Clerk of Ross, his brother-german, of the lands of Meikle Budzett, Dollaschyll, Tombeg, Toamlaggan, and Inshgaddall in the parish of Calder, and also the lands of Nether and Over Galcantray, with the mill and mill lands in the parish of Croy. He binds himself to serve heir to his father and brother, and thereafter to infest Hugh and his heirs-male under a penalty of £2000, and he further ratifies Hugh's present possession of the lands and grants procuratory for resignation; the witnesses are David Monipennie, late bailie of Fortrose, Thomas Gair, writer in Fortrose, and John Dallas, notary public there. (*Reg. Deeds*, Mackenzie, vol. lix.)

In accordance with the Act of Parliament, John Dallas must have been deprived not only of his deanery, but of the ministry of the parish of Ardersier on 25th April 1690; but Hugh Scott states that he was 'intruded' into the parish of Ardersier almost immediately after this date: the probability is that he was not actually disturbed in his tenure, but conformed to the new order of the Church. Scott states that he died 'about 1693,' but nothing has been found in corroboration of this statement.

In Mathew Lumsden's *Genealogy of the Family of Forbes* (Inverness, 1819, p. 17), it is stated that Marjorie, youngest daughter of Duncan Forbes of Campbell, married 'Mr. John Dollas, parson of Tanne,' but no confirmation of this statement has been found in the records. If such a marriage took place, which there is no reason to doubt, the lady must have died in early life; and John Dallas married, secondly, Mary, second daughter of John Rose of Broadley by Anne Chisholm, his wife, and granddaughter of William Rose, eleventh Laird of Kilravock. She died 22nd July 1669, and he married, thirdly, Margaret, sister of Hugh Fraser of Kilbokie, and widow of Thomas Fraser of Eskidale, of whom nothing further is known: the children were probably by Mary Rose. He had issue:—

- I. John Dallas, of Primrosehill, of whom below.
- II. William, merchant in Inverness, was one of the deacons appointed 10th August 1680 'for ingathering of the collections' of the kirk session. In 1680 he m. Christian Rose, and on 9th March 1682 there is a summons at the instance of Christian Rose, relict and executrix of James Dunbar younger, merchant in Inverness, and William Dallas, merchant in Inverness, now her spouse, against Thomas Falconer of Kincorth, for a sum of 300 merks, with interest, in terms of a bond by him to the said James Dunbar, who died in 1679. (*Reg. Decr.*, Moray, vol. ii.) On

18th October following he had from his father an assignation of the deanery lands in Kilmuir Wester ; and on 22nd October 1683, as ' burghess and merchant in Inverness,' witnesses a disposition by George Dallas of St. Martins, of an annual rent over the lands of Easter Balblair, in favour of George M'Culloch and others. On 27th December 1684 he had horning against Hugh Fraser of Belladrum for a debt of £43 on a bond dated 22nd November 1680 (*Reg. Horn.*, Inverness, vol. viii.) ; and on 29th December 1684 he is a party to and one of the witnesses of the contract of marriage between Alexander Dallas of Cantray and Christian Dallas, when he is described as a son of the Dean of Ross. He died at Inverness, 20th March 1689 (*Par. Reg.*, Inverness), having had issue :—

1. William, *bp.* at Inverness 16th September 1688, the witnesses being William Robertson of Inches, William Duff, elder, bailie of Inverness, William Duff of Diple, and William Rose of Markines.

1. Marie, *bp.* at Inverness 27th May 1681, one of the witnesses being James Smith, master mason.

2. Christian, *d.* at Inverness 1st April 1708.

- III. Charles, was admitted to Marischal College in 1678, and is recorded as paying fees ' for all, by the Principal's orders,' amounting to £6, 13s. 4d. in 1682-3. He witnessed the sasine of Hugh Dallas of Budzeat in the lands of Over and Nether Galcantray on 12th August 1682 ; and the disposition by John Grant of Dunskaith to George Dallas of St. Martins, of the lands of Dunskaith and others, dated 17th October 1683. When, on 24th February 1683, he witnessed the marriage contract of James Dallas, younger of

St. Martins and Elizabeth Riddell, he is described as writer in Edinburgh, and he is so described 8th April 1685, when he is cautioner for John Dallas, afterwards of Bannans, on his admission as a notary. When, however, on 8th October 1690, he was admitted a burgess of Edinburgh by paying £100 Scots he appears to have forsaken the law, and is now designated 'one of the Gentlemen of their Majesty's life guards.' (*Burgess Roll*, Edinr.) Later, on 21st April 1692, when he witnessed the baptism of a son of Mr. Alexander Dallas, afterwards minister of Kinnell, he is styled 'merchant.' On 15th July 1696, he and his brother, Mr. Alexander Dallas, granted a bond for 500 merks to Mr. James Dallas of St. Martins. On 7th August 1698, at the baptism of another son of Alexander Dallas, he is described as a 'vintner,' while on 5th February of that year John Foulis of Ravelston records that he 'spent w<sup>t</sup> dawick S<sup>r</sup> Jas. Justice, Sauchie, and ad. Rae at W<sup>m</sup> black beyond the sheins and at charles dallas,' a sum of £2, 8s. 6d. On 25th March 1702 he was declared rebel at the instance of Edward Burde, merchant, Edinburgh, and his estates were escheat to Gilbert Stuart, merchant, Edinburgh. (*Cal. of State Papers, Domestic*, vol. 1702-3.) On 22nd October 1705, 'Mr. Charles Dallas, Vintner burgess,' was married in the Edinburgh City Parish to 'Sarah Manderston, daughter to the deceased John Manderston, merchant in Tweedmouth, now in N.N.K. paroch,' by whom he appears to have had no issue. He was buried in the Greyfriars, Edinburgh, 'west end north alley,' on 19th February 1707.

- iv. Hugh, was at Marischal College in 1682-3, when he paid 'for bibliothek and maise, having got his ticket for privat graduation,' £4, 12s. He acted as

bailie to Hugh Dallas of Budgate in giving sasine to Christian Dallas, wife of Alexander Dallas of Cantray, on 24th June 1685, when he is styled 'Student of Divinity,' and he was still a student of divinity when, on 30th July 1687, he witnessed the sasine of Henrietta Dallas, wife of David Rose of Drummuirnie, in an annual rent 'furth of the towns and lands of Barri-vans' and others. In the Diet Book of the Commissariot of Berwickshire, under date 27th July 1708, it is recorded that Margaret Yeaman, relict of John Dallas of Primrosehill, in applying for decerniture as executrix of her late husband, calls Mr. Hugh Dallas and Margaret Dallas as next of kin; and on 3rd January 1709 there is a summons of forthcoming by William Hay of Drumelzier, the claimant of John Dallas's husbandlands in Preston, against Hugh Dallas, Preacher of the Gospel at Connage, brother and nearest of kin to the deceased Mr. John Dallas, Bailie of Dunse. 'It is served in presence of William M'Intosh of Bellenespick in the lockhole of the most patent door of the said William his dwelling house where the said Mr. Hugh resides, after six knocks thereat.' No later reference has been found to him, and he probably never married.

- v. Robert, a student of Marischal College in 1682-3. On 24th May 1686, when he is described as 'Student in Theology in Aberdeen University,' he was appointed 'Schoolmaster, professor and teacher of Humanity in the School of Fortrose' (*Min. Bk.*, Fortrose), and on 13th December 1690, as 'Mr. Robert Dallas, schoolmaster at Fortrose,' he witnesses two sasines given to Mr. James Dallas, younger of St. Martins. He was apparently the Robert Dallas whose wife was named Wood. Their daughter

Mary, was *bp.* at Cromarty, 13th March 1690,

witnesses being Alexander Urquhart of Newhall, and Alexander Clunies of Dunskaith.

- vi. Alexander, as 'son to Mr. John Dallas, Dean of Ross,' witnessed a sasine dated 12th November 1683, in favour of George M'Culloch and others. On 28th June 1684 he was bailie for the sasine of Christian Urquhart, spouse of Hugh Dallas of Brachlie, in the lands of Brachlie. He next appears in Edinburgh, where, described as a brewer in Canongate, he was admitted a burgess, 18th November 1691, on payment of 200 merks. He continues to be described as a brewer until 10th January 1700, when, on the baptism of his son George, he is styled 'Student of Divinitie.' He was licensed as a preacher by the Presbytery of Dunse, 19th November 1700, and was called and ordained on 23rd September 1703 at Kinnell, in the Presbytery of Arbroath. In Scott's *Fasti* he is said to have married, in February 1691, Alison Watson, daughter of John Watson of Dunikeir, but this is a mistake, for in the Edinburgh City Parish Register there appears '20 February 1694, Mr. Alex<sup>r</sup> Dallas and Alison Watson married disorderly.' He died 20th January 1705 (Scott's *Fasti*), his testament, dated 14th February and 16th May 1705, being recorded in the Commissariat of St. Andrews, his 'plenishings' being estimated at £227, 15s. 3d., and the 'Inventar' amounting to £1165, 11s. 3d. He had issue :—

1. John, *bp.* in Edinburgh, 21st April 1692, as son of Mr. Alexander Dallas, brewer, and Alison Watson, the witnesses being Mr. Charles Dallas, merchant, Mr. William Dallas, W.S., and John Urquhart, Laird of Craighouse.

2. Charles, 'born Saturday 17th afternoon,' *bp.* in Edinburgh, 27th June 1693, a witness being



Mr. John Dallas, bailie of Bonkle. He is described as 'son to decease Mr. Alexander Dallas, late minister of the Gospel at Kinnell, now in N.E. parish, & married Margaret, daughter to Mr. James Robertsons, minister of the Gospel at Athelston, 30 July 1721.' (*Edinr. Par. Reg.*) He was a printer in Edinburgh, and was admitted a burgess on 20th December 1721, in respect of his father.

3. Alexander, *bp.* in Edinburgh, 14th March 1697, amongst the witnesses being George Dallas of St. Martins and Mr. Charles Dallas, merchant.

4. George, *bp.* in Edinburgh, 10th January 1700, a witness being George Dallas of St. Martins. He was a merchant in Portsburgh, and *m.* Isabel Duff, daughter of William Duff, farmer, Aberdeen, afterwards residing in Edinburgh. They had the following children: (1) George, *bp.* 24th January 1720; (2) William, *bp.* 5th August 1721; (3) Ann, *bp.* 6th February 1723; (4) Margaret, *bp.* 5 April 1725; and (5) Janet, *bp.* 28th May 1727, *m.* James Forsyth, tailor, 22nd July 1749.

1. Margaret, *bp.* in Edinburgh, 12th November 1695, buried in the Greyfriars, Edinburgh, 22nd December 1718.

2. Eupham, *bp.* in Edinburgh, 7th August 1698, amongst the witnesses being John Watson of Duni-keir, James Watson, brewer in Leith, and Mr. Charles Dallas, vintner.

3. Alison, buried in the Greyfriars, Edinburgh, having died 1st December 1715.

4. Liliass, *b.* 11th September, *bp.* at St. Cuthbert's, Edinburgh, 4th October 1702, a witness being Mr. William Dallas, W.S.

i. Liliass, was first *m.* (as second wife) to Mr. Alexander Urquhart of Craighouse, but was early left a widow.

From a Joint Print of Documents in the 'Shandwick Succession Case' it appears that 'At Fortrose ye 14<sup>th</sup> day of 1675,' there compeared Alexander M'Rae, writer in Fortrose, as procurator for Andrew Ross, and Thomas Gair, as procurator for Liliass Dallas and Mr. John Dallas, for the registration of the marriage contract dated at Chanonrie, 15<sup>th</sup> August 1671, between Andrew Ross of Sandwick and Mr. John Dallas, Dean of Ross, for himself and for his daughter, Liliass Dallas, relict of Mr. Alexander Urquhart of Craighouse, by which Andrew Ross gave to his intended spouse and their heirs 'all and hail the Easter Half Davoch of the Wester Davoch of Fearn, commonly called Mid Fearn.' Following this settlement, on 24<sup>th</sup> August 1671, at Fortrose, sasine is given to Rorie Foulmer of Meikle Allan as attorney for Liliass Dallas, relict of Mr. Alexander Urquhart of Craighouse, now spouse to Andrew Ross of Sandwick, in terms of the contract, in which he disposes to his spouse and the heirs of their marriage the lands of Mid Fearn in the parish of Edderton and shire of Ross, and also the lands of Pitkeathzean in the parish of Nigg. Mr. John Dallas signs the contract, which is witnessed by Colin Campbell of Delnie, and William Campbell, his son, Mr. James M'Kenzie, subdean of Ross, and James Fraser of Pitkeathzean. (*Reg. Sas.*, Inverness, iv. fol. 108.) On 8<sup>th</sup> February 1673 sasine is given to Andrew Ross of Sandwick for himself and as attorney for Liliass Dallas, his spouse, and William Ross, their son, upon a disposition dated 24<sup>th</sup> January last by Sir George M'Kenzie of Tarbet of the three-quarter lands of Drumgillie. The disposition is witnessed by Hugh Dallas, Commissary Clerk of Ross, and the sasine by Alexander Ross, brother-german to the said

Andrew Ros. (*Reg. Sas.*, Inverness, iv. fol. 197.) In 1676 she is described as 'relict of the deceist Andrew Ross of Sandwick,' when inquiry is instituted 'anent the Chartor chist of . . . Andrew . . . and evidents away taken be Alexr. Ross in Pitmaduthie; Andrew's brother, furth of Liliass' house in Drumgillie,' and David Ross having 'given warrand to seik throughout his ground,' they 'found great quantitie of peapers in two Codwairs in ane chest pertaining to Alexander Ross.' (Macgill's *Old Ross.*, No. 924.) She did not, however, long remain a widow, for on 15th July 1679 sasine is given by Mr. Robert Urquhart, second lawful son to Alexander Urquhart of Newhall, as bailie to Hugh Dallas of Breachley, as attorney for Liliass Dallas, relict of Andrew Ros of Sandwick, and now spouse to the said Alexander Urquhart of Newhall, in terms of their contract of marriage, dated 24th and 25th December 1677, and witnessed by Hugh Dallas, Commissary Clerk of Ros, Hugh Dallas, son lawful to the deceased William Dallas of Cantra, whereby Alexander Urquhart obliged himself to infest her in liferent in the lands of Wester Balblair. (*Reg. Sas.*, Inverness, v. fol. 8.) From a volume of *Signatures past the Privy Seal*, in the editor's possession, it appears that on 26th March 1678 infestment was given of 'those oxgates Aikers of Burgess lands lying in the towne of Cromartie,' and others, to Lillias Dallas, relict of the deceased Mr. Alexander Urquhart of Craighouse, and George Dallas, W.S., appraised for £1384, 17s. 10d., the composition being 20 merks. At Redcastle, 14th September 1679, disposition was granted by Alexander Urquhart of Newhall to John Urquhart, his eldest lawful son, of the lands and barony of Newhall and others, reserving to himself

and Liliass Dallas, his present spouse, their liferent of Wester Balblair (*Reg. Deeds*, Mackenzie, lx.); and at Fortrose sasine dated 1st June 1686 is given by John M'Comie, servitor to Alexander Urquhart of Newhall, as bailie to John Urquhart in Milton of Newhall, as attorney for Liliass Dallas, present spouse to the said Alexander Urquhart, and George Urquhart, their son, upon a disposition, dated at Fortrose, 15th December 1681, by John Urquhart, fiar of Newhall, with consent of the said Alexander Urquhart, his father, to the said Liliass Dallas in liferent, and to George Urquhart, only surviving child of Alexander Urquhart and Liliass Dallas, of the lands of Wester Balblair, which are part of the barony of Newhall, in the parish of Kirkmichael, under reversion of 6000 merks. The disposition, written by John Dallas, lawful son to Hugh Dallas, Commissary Clerk of Ross, is witnessed by the said Hugh and John Dallas, Hugh Dallas of Breachley, and others, and sasine is given in presence of William Urquhart of Braelangwell, and James Dallas, writer in Fortrose. (*Reg. Sas.*, Inverness, v. fol. 373.) On 23rd October 1696 she has sasine of the easter half of the west davoch of Fern, called Midfern, in which her husband, Andrew Ross, bound himself to infest her by their marriage contract (*Reg. Sas.*, Inverness, vi. fol. 83), and on 2nd April 1701 she has sasine, as relict of Mr. Alexander Urquhart of Craighouse, of certain acres and roods of burgage lands in the burgh of Cromarty and the lands of Navitie, Neilstoun, and Newtown, sometime belonging in heritage to the late Alexander Urquhart of Cromarty; this sasine is given upon a crown charter of confirmation, and apprising dated at Edinburgh, 26th July 1678. (*Reg. Sas.*, Inverness, vi. fol. 231.) The date of her death is unknown.

- II. Anna, was wife of Roderick Fowler, fiar of Coulnard.

On 12th November 1669 Rorie Foulter, eldest lawful son to Donald Foulter of Culnald, and Anna Dallas, his affidat spouse, had sasine of the lands of Culnald in terms of their contract of marriage dated the 9th and 10th November, wherein reservation is made to Margaret Ross, spouse to Donald Foulter, of her liferent in Culnald and in the three-quarters of Meikle Allan in the parish of Fearn in warrandice. The contract is signed by Mr. John Dallas, her father, by herself, and by Robert Dallas, elder, Burgess of Fortrose, as witness to her signature. (*Reg. Sas.*, Inverness, iii. fol. 465.) There is another sasine to them, in terms of a disposition by Donald Foulter of Culdnaw, Rorie's father, in the lands of Little Allan, dated at Nairn 23rd July 1670 (*Prot. Bk.*, cxii. fol. 20), but before this, on 22nd May 1670, Margaret Ross, spouse to Donald Foulter of Coulnard, and Ann Dallas, spouse to Rorie Foulter, his eldest son, grant a renunciation of their rights to Donald Foulter, the act being recorded in the proceeding of the Town Council of Nairn, and signed both by Anna Dallas and her husband. (*Counc. Rec.*, Nairn, vol. i.)

- III. Henrietta, was married to David Rose of Drummuirnie.

On 30th July 1687 is sasine of Hendretta Dallas, now spouse to David Rose of Drummuirnie, on a contract of marriage dated at Ardersier 11th January 'last' between them, with consent of Mr. John Dallas, Dean of Ross, the lady's father, whereby David Rose settled upon his wife and children an annual rent of £80 Scots yearly furth of the towns and lands of Barrivans, Drummuirnie, and Dallacarne, in the parishes of Calder and Berivan. The contract is written by John Dallas, notary public in Fortrose,

and is witnessed by him and by Hugh Dallas, Commissary Clerk of Ross. The sasine is given to James M'Donald, eldest lawful son of Donald M'Alester, alias M'Donald, in Over Galcantray, as her attorney, and is witnessed by Alexander Dallas of Cantra, Mr. Hugh Dallas, student in divinity and lawful son of the said Mr. John Dallas, John Dallas acting as notary. (*Reg. Sas.*, Elg. and Nairn, iii. fol. 272.) Henrie Rose in Arderseir, brother to Broadley, and John Rose of Holme are also recorded as witnesses to the contract of marriage. (*Reg. Sas.*, Inverness, v. 422.)

I. JOHN, OF PRIMROSEHILL, as 'son to the said John Dallas,' was, with Hugh Dallas, Clerk to the Records of Sasine in Ross, witness at Ardersier, 20th May 1673, to an obligation by Andrew Ros of Sandwick, as principal, and John Dallas, Dean of Ros, as cautioner, for 1200 merks due to Finlay M'Coul vic Brebader in Strathrushie. (*Decrees*, Tain Sess. Ct., vol. ii.) He appears to have graduated at Marischal College in 1678, and as 'Mr. John Dallas, servitor to the said George Dallas,' is mentioned as a witness in a horning obtained 8th March 1678 by George Dallas, W.S., against Hugh Fraser of Atoine. (*Reg. Horn.*, Inverness, N.S., vol. viii.) He was, as servitor to George Dallas, W.S., the writer of a tack dated 16th July and 14th August 1678, of the parsonage and vicarage teinds of Islay by Andrew Bishop of the Isles in favour of Sir Hugh Campbell of Calder, signed at Edinburgh 16th July 1678 by Andrew Bishop of the Isles and John Fraser, Dean of the Isles, before George Dallas, W.S., and 'Mr. John Dallas.' (*Stent. Bk.*, *Islay*, 415.) On 20th March 1678 there is an order to infeft Mr. John Dallas, writer in Edinburgh, and his heirs, in the lands of Guisachan, Killachie, Damchardany and Kingilie in Inverness-shire, adjudged from Hugh Fraser of Kilbockie for a debt of £4744, 14s. 8d. (*Gen. Reg. Adj.*),

but there is no evidence that he gained actual possession. It must have been shortly after this date that he married his first wife, Margaret Douglas, daughter of Archibald, and sister of Sir John Douglas of Lumsden in Berwickshire, for on 16th November 1680 their son John was baptized in the City Parish, Edinburgh, amongst the witnesses being George Dallas, of St. Martins, and Mr. William Lauder. On 25th March 1682 there is a decreet following a submission subscribed by Alexander Martin, bailie of Boncle and Preston, on the one part, and Margaret Douglas, relict of John Colville, portioner of Preston, and Mr. John Dallas, now her spouse, for his interest, for themselves and in name and behalf of James Colville, eldest son and heir of the said John Colville, which deals with disputes concerning certain husbandlands in the regality of Boncle and Preston, mentioned later, and possesses considerable local interest : it is witnessed by David Home of Whytfield and Mr. William Dallas, servitor to George Dallas of St. Martins. (*Reg. Deeds*, Dalrymple, vol. lvii.) Under date 4th October 1686, in Bonkle and Preston Regality Book, 'complains Mr. John Dallas, wryter in Edinburgh, upon Christopher Sleigh, wright in Prestoun, that wherein the moneth of May last bypast the perseuer agreed and bargained with the defender for building him aine seat in the Kirke of Prestoun, consisting the demensiones thereof two ells squair with ane table in the midle . . . wered above with ane hung door confurme all of firr timber work quhich seat the defender agreed to build close round the height of a man's breist,' yet now 'he most wrongouslie refuses and postpones sua to do to the complainer's great prejudice.' The case is decided in favour of Dallas and they were left next to prove the price, but whether the 'seat' was ever erected does not transpire. It shows Dallas in the light of a prosperous denizen of Preston, though still a writer in Edinburgh. On 27th June 1693, when he witnesses the baptism in Edinburgh of Charles, the son of Alexander Dallas and Alison Watson, he is described

as Bailie of Bonkle. He appears to have acted for some time as factor for the Earl and Countess of Sutherland in Berwickshire, as there occurs a discharge dated at Holyroodhouse, 1st July 1693, by Jean, Countess of Sutherland, narrating a letter of factory granted to Mr. John Dallas over the lands of Buncle and Preston, or any other lands of theirs in Berwickshire, and as he has now made just account and reckoning she grants discharge thereof along with the Earl of Sutherland, her husband. (*Reg. Deeds*, Mackenzie, vol. lxxiii.)

Though two cases dealing with the ownership of Primrosehill were determined after the death of John Dallas, the present seems a convenient place in which to refer to them. On 14th February 1708 suspension is raised at the instance of George Douglas and George Hastie, two of the tenants of the Kirklands, and others in the town and regality of Preston and Bonkle, against Agnes Loch, relict of the deceased Mr. John Colville, advocate, who had put them to the horn, Douglas for 600 merks and Hastie for 300 merks, the unpaid rent of the lands possessed by them. In their defence they claim that they are tenants in these lands of Margaret Douglas, relict of the deceased John Colville of Primrosehill, liferentrix thereof, and of Mr. John Dallas, Bailie of Dunse, now her husband, for his interest. They plead therefore that they are not liable to Agnes Loch, who founds upon an adjudication led by her against Mr. John Colville's son many years ago, upon which infetment followed, while the infetment of Margaret Douglas was twenty years before that, and further, the right of Mr. John [*written James*] Colville, her husband, was only upon another adjudication led by him against James Colville, son to the said deceased John [*written James*] Colville, portioner of Preston, husband to the said Margaret Douglas, now spouse to John Dallas.

Conjoined with this case is another at the instance of Elizabeth Renton, John and William Davidson, Henry Breedie, John Rae, Archibald Sleich, Margaret Ogill, and



Thomas Johnstone, all tenants and possessors of the lands in Preston, which formerly belonged to the deceased John Colville, portioner there, against Sir Patrick Home of Renton, advocate, Agnes Loch, relict of the deceased Mr. John Colville, advocate, Mr. John Dallas, bailie of Dunse, Lieutenant Archibald Colville, and Elizabeth Home, relict of Alexander Trotter of Kettleshiels, in which they complain that they are daily distressed and pursued before the Courts by these persons, whereas the pursuers are only liable to make once payment, and crave that it be determined to which of these payment is due. Writs being called for, Agnes Loch produces some of the adjudications above referred to and other legal documents of about 1678, 1679, and 1700, and there are also produced : (1) Bond by James Colville, portioner of Preston, with consent of John Colville (his eldest son of the first marriage), to Elizabeth Home, his spouse, in liferent, and to Jean Colville, her daughter, whom failing, to James Colville, with remainder to his heirs, of a sum of 1000 merks secured over his three husband-lands in Preston, called the Kirklands, dated 11th July, and recorded at Duns 1st September 1657; (2) bond of corroboration of the above by John Colville, to the said Elizabeth Home and Alexander Trotter, her then husband, dated 13th November 1664; (3) sasine thereon, 25th November 1664; (4) horn-ing and poinding at the instance of Elizabeth Home and her husband against the said John Colville, 13th February 1666; (5) decreet of poinding the ground against him, 8th January 1675; (6) contract of marriage between John Brown, merchant in Kelso, and the said Jean Colville, fiar of the said 1000 merks, dated 11th September 1675, by which that sum is assigned as part of her tocher; (7) translation of the said sum to take effect after the death of Elizabeth Home in favour of Mr. James Brown, only lawful son of the said John Brown, dated 21st January 1699; (8) assignation by Elizabeth Home, relict of Alexander Trotter of Kettleshiels, to the said Mr. James Brown, of her liferent in the said

sum, 25th September 1704; (9) instrument of sasine thereof to Mr. John Dallas, portioner of Preston, as he who was singular successor to and then possessor of the said Kirklands of Preston, out of which the said annual rent is upliftable, 4th April 1705. The further productions are of no interest.

So far as can be gathered from the portion of the decreet preserved, it is found that Elizabeth Home had good right to uplift the annual rents, and a commission is appointed to visit the lands in vacation and collect further evidence. The case was continued: 'In which action of competition the said Mr. John Dallas, Bailie of Dunse while on life, and Mr. Robert Dallas, writer in Edinburgh, after his decease, as deriving right from him, compearing by Mr. Robert Fraser, Advocate, produced the writs following, to wit': (1) Disposition by William Maine, heir served to Mr. David Maine, writer in Edinburgh (and as standing infeft by precept of *clare constat* and charter of confirmation from James, Marquis of Douglas as superior), with consent of Grizel Weir, his mother and tutrix testamentrix, to the said John Dallas, dated 8th and 9th March 1696, narrating the following deeds: (a) Contract, dated 20th October 1652, between Archibald, Earl of Angus, and the deceased James Colville, portioner of Preston, for himself, and in name and behalf of John Colville, his eldest lawful son, for the sale to them of his six husbandlands there called the Kirklands, with two lands adjacent, belonging to George Douglas, and the two belonging to John Lentron, the said James having power to wadset the same; (b) contract of wadset by the said James Colville to Alexander Douglas, feltmaker in Edinburgh, and Jean Douglas, his spouse, of the said six husbandlands for 2000 merks, dated 8th September 1654; (c) another wadset by the same to the same of the same lands dated 5th August 1656; (d) disposition by the said Alexander Douglas to Mary Douglas, his lawful daughter, of these wadsets, dated 9th August 1667, in which it is appointed that failing her by death before marriage, these

should revert to her father or his two sons, Alexander and William Douglas, equally between them; (e) sasine of Mary Douglas, 14th October 1669; (f) decreet of declarator by the Lords of Council and Session at the instance of the said sons, with Mr. David Maine, writer in Edinburgh, and William Veatch, merchant in Edinburgh, curators to William, the younger son, that they had good right to the contracts and arrears due thereupon from October 1669, the date of their father's death, and John Colville, heritor, is ordained to satisfy the same, dated 29th July 1673; (g) several other conveyances of these wadsets in the person of the said Mr. David Maine, whose son hereby disposes these six husbandlands to Mr. John Dallas and his heirs in 1696; (2) instrument of sasine on the disposition by William Maine, dated 25th April 1706; (3) bond and disposition, dated 25th May 1703, by the said Mr. John Dallas to Mr. Robert Dallas, writer in Edinburgh, and Catherine Cochrane, his spouse, for certain sums for work done, secured over these lands; (4) sasine of Mr. Robert Dallas thereon, 25th April 1706.

After this the productions of Agnes Loch are again enumerated, and then a claim is put forward by William Hay of Drummelzier, who founds upon: (1) An adjudication at the instance of Mr. John Dallas, Bailie of Dunse and portioner of Preston, against Lieutenant Archibald Colville, son to the deceased John Colville of Primrosehill, and charged to enter heir to him, but which he renounced, founded upon the contract of marriage between the said deceased John Colville and Margaret Douglas, then his spouse, dated 12th February 1666, in terms of which she was to be infeft in his six husbandlands in Preston, and Mr. John Dallas adjudged these lands from Lieutenant Colville; (2) extract disposition and assignation by the said Mr. John Dallas to the said William Hay of Drummelzier of the aforesaid adjudication, dated 13th May 1704.

In their deliverance the Lords prefer Agnes Loch in the

first place, and Mr. Robert Dallas in the second place, and though on 16th June 1709 Hay reclaimed, they adhered to their decision.

In 1703 John Dallas married, as his second wife, Margaret Yeaman, daughter of John Yeaman, portioner of Nungate, Haddington. She was the widow of Alexander Loraine, notary in Dunse, to whom she was contracted 21st November 1676, and whose testament in her favour was dated 17th January 1699. He died in 1708, and on 27th July of that year his widow, in applying for decerniture as executrix, calls Mr. Hugh Dallas and Margaret Dallas as next of kin. (*Commiss. Diet Bk.*, Berwick.) She was decerned his executrix *qua* creditor 27th August 1708. (*Commiss. Rec.*, Berwick.) He left no issue, his brother, Mr. Hugh Dallas, minister at Conage, being his heir-at-law.

His widow survived him many years, and on 2nd May 1723, for the love she has to the memory of Alexander Loraine, late Bailie of Dunse, her only lawful son by the deceased Alexander Lorain, notar and feuar in Dunse, her first husband, and in consideration she has for Anne Dallas, her son's relict, and James, Archibald, and Elizabeth Lorain, her children, 'and an Posthumous child not yet born,' they being left unprovided for, she has disponed to the said Ann in liferent and to the children in fee, all her estate. In case James Lorain, by the decease of Alexander Lorain, eldest son of the deceased Alexander Lorain, should succeed to any estate, then he is to lose his share, and it also is to be divided equally amongst the others. The trustees appointed are the said Ann Dallas, Mr. Archibald Cockburn, younger of Langton, and Mr. William Cockburn, second son to Sir Alexander Cockburn of Langton, John Hay, junior, merchant in Edinburgh, and John Yeaman, factor to Sir James Suttie of Balgour. (*Orig. MS.*) Ann Dallas was a daughter of James Dallas of St. Martins. On 21st December 1742 there is an account of debts given up and confirmed by Margaret Yeaman, as execu-

trix creditrix of Alexander Lorain, from which it appears that her first husband's estate amounted to nearly £11,000 Scots, but the details are too lengthy to repeat. In this document the date of her death is given as 27th March 1742, and this is confirmed by her inventar and eik recorded in the Commissariat of Berwickshire, 5th July 1743.

## DALLAS OF KIRKMICHAEL

JAMES DALLAS OF KIRKMICHAEL was the third surviving son of William Dallas of Budgate, and was born in or before 1627. His marriage contract is dated 25th December 1656. He appears in a sasine, dated 5th June 1662, to David Ros in Balnagown and Isobel Ros, his spouse, of a fourth part of the lands of Easter Midgany, on a disposition by James Dallas in Ganyes, with consent of Grizzel Ros, his spouse, but under reversion by Mr. Thomas Mackenzie of Inverloall: the disposition is dated at Tayne and Hilton, 3rd and 5th June 1662, the witnesses being Mr. John Dallas, minister at Tayne, and Hugh Dallas, notary, while to the sasine one of the witnesses is Duncan Dallas, son to the said James Dallas. (*Reg. Sas.*, Inverness, Ser. 3, i. fol. 14.) On 18th July following, when he is styled portioner of Ganyes, he and Hugh Dallas, notary, are witnesses to the giving of sasine of the quarter lands of Inverlaue to John M'Kenzie in Inverlaue (*Ibid.*, 65); and 25th May 1665 he acted as attorney for Margaret Abercromby, spouse to George Dallas of St. Martins, when he was designed 'in Bellacherrie.' On 31st March 1666 sasine is given to James Dallas in Ballacherrie on a contract by Sir John Urquhart of Cromarty, dated at Cromarty 6th October 1665, whereby he disposed to him and his heir irredeemably the lands of Easter Balblair, commonly called Kirkmichaell and Balblair, the contract being written by Hugh Dallas, notary. (*Reg. Sas.*, Inverness, iii. fol. 51.) Those lands he shortly afterwards disposed to his brother George in security for a sum of 1000 merks, but they were restored to him on payment of the debt in 1674, and remained in his possession until his death, which occurred before 21st July

1681. (See *Scottish Antiquary*.) His wife was a daughter of George Ross of Ballamuckie, and a 'portioner' of Ganyes. She was still living 21st July 1681. He had issue:—

- I. George, his heir.
- II. Duncan, witnessed his father's disposition of the lands of Easter Midgany, 24th July 1662. As 'son to James Dallas of Bellicharrie,' he was apprenticed to Andrew Donaldson, a tanner in Edinburgh, 31st January 1666.
- III. William, a minor 21st July 1681.
- IV. Alexander, a minor 21st July 1681. He is described as litster in Nairn 15th January 1685, and was then *m.* to Barbara Innes. He was served heir general to his father, James Dallas of Kirkmichall, 30th July 1708. He appears to have had an only child, Lillas, *bp.* 15th January 1685, at Nairn, the witnesses being Alexander Urquhart of Newhall, John Urquhart of Craighouse, Alexander Clunies of Dun-skaith, Lillas Dallas, spouse to Newhall, and Jeane Clunies. He is described as litster in Nairn, and eldest son in life of deceased James Dallas of Kirk-michael, on 14th January 1697.
- V. Marmaduke, a minor 21st July 1681. As 'dyer in Nairn' he was one of the witnesses to the sasine of James Dallas of St. Martins, younger, in the lands of Davidstoun, 13th December 1690, but afterwards established himself in Edinburgh, where, as 'merchant,' he was made a burgess by paying 100 merks. (*Edin. Burgess Rec.*) On 17th May of the previous year he was, however, described as 'litster' when in the Edinburgh City Parish Register he appears as a witness to the baptism of a son of Alexander Dallas, cordiner (see DALLAS OF NORTH NEWTON); and he is also described as a litster in the registers of his children's baptisms. He was one of the 'tutors

testimentar' of Robert, son of Mr. Robert Dallas, writer in Edinburgh, 9th October 1712, and on 8th December following he acknowledges the repayment of a sum of £2200 Scots by Mr. William Dallas of Budgate. Finally there is an instrument of resignation dated 10th April 1713, made in presence of Mr. William Dallas of Budzet, W.S., as superior, by Thomas Fraser, glover, burgess of Inverness, as procurator of Marmaduke Dallas, litster, burgess of Edinburgh, of the bond under which that sum was due; done within the dwelling-house of the said Mr. William Dallas at Inverness. (*Reg. Sas.*, Inverness, vii. fol. 277.) He married, first, before 17th January 1697, Jean Thomson, and, secondly, Janet Dallas, daughter of Mr. James Dallas of St. Martins, on 25th November 1712. (*Edin. Mar. Reg.*) She was buried in Greyfriars, Edinburgh, in 1721. He was buried in Greyfriars in 1719. By his first wife he had issue:—

1. James, *bp.* 23rd November 1701, in the Edinburgh City Parish, the witnesses being James Dallas of St. Martins, George Thomson, 'sailer in Leith,' and Mr. Robert Dallas, writer. He was first married to Janet Watson, daughter of late Alexander Watson, merchant in St. Andrews, on 1st June 1730 (*Edin. Mar. Reg.*), when he is described as a musician, and, secondly, on 18th January 1736, when he is described as a music master, to Mary, daughter to the deceased Lieutenant James Ogilvie. On 26th March 1738 he was witness to the baptism of a daughter of Marmaduke Dallas, printer.

2. Alexander, *bp.* 24 January 1703 in Edinburgh, two of the witnesses being Mr. Alexander Dallas, preacher, and Alexander Dallas, litster.

3. William, *b.* 27th, *bp.* 30th November 1705 in Edinburgh, one of the witnesses being Mr. Robert



Dallas, writer. On 20th December 1738, described as a shipmaster, he was admitted a burgess of Edinburgh 'in respect of his father Marmaduke Dallas.' (*Edin. Burgess Rec.*) He married before 12th October 1731, Ann, daughter and co-heir of George Thomson, shipmaster in Leith, and in the register of the baptism of his children he is styled 'Captain.' By his first wife he had issue :—

- (1) George, *bp.* 12th October 1731 at North Leith.
- (1) Margaret, *bp.* 11th July 1733 at North Leith.
- (2) Henrietta, *bp.* 22nd May 1742 at North Leith ; served heir portioner general to her grandfather, George Thomson, 29th March 1769. She married James Gray, London.

(3) Williamina, *bp.* 29th September 1747 at North Leith.

(4) Ann.

A factory and commission, dated at London, 24th December 1771, is recorded 23rd April 1772, under which Henrietta Dallas, spouse of James Gray, London, appoints William Young, Leith, to sell her third of certain property in Leith, the other two-thirds belonging to her sisters Williamina and Ann Dallas (*Mackenzie*, vol. ii. p. 211). From this it may be inferred that George had died without issue.

4. Marmaduke, *bp.* 6th June 1708 in Edinburgh, a witness being Mr. Robert Dallas, writer.

1. Margaret, *bp.* 17th January 1697 in Edinburgh.  
2. Anna, *bp.* 13th March 1698 in Edinburgh, one of the witnesses being Mr. John Dallas, writer.

3. Margaret, *bp.* 27th August 1704 in Edinburgh, the witnesses being Mr. William Dallas, merchant, and Mr. Robert Dallas, writer.

4. Isobel, *b.* 17th, *bp.* 22nd December 1706, Mr. William Dallas, W.S., being a witness. She

was the spouse of Henry Antonicus, wright, whose daughter Esther was born 11th and *bp.* 15th December 1734, George Dallas, W.S., and John Antonicus, wright, being amongst the witnesses.

By his second wife he had issue :—

5. Marmaduke, *b.* and *bp.* 20th June 1714, Hugh Ross of Auchmaclash being one of the witnesses. He married in Edinburgh, 12th December 1736, Elizabeth Veitch, 'indweller in S.S.E. parish' (*Edin. Mar. Reg.*), when he is described as a printer. He had issue :—

(1) Alexander, *b.* 25th, *bp.* 27th June 1742 in Edinburgh, the witnesses being Robert Veitch, merchant in Edinburgh, and Alexander Veitch, limner, there.

(1) Elizabeth, *b.* 23rd, *bp.* 26th March 1738 in Edinburgh, one of the witnesses being James Dallas, musician. She was buried in Greyfriars, Edinburgh, in June 1740.

(2) Magdalen, *b.* 20th, *bp.* 23rd April 1746 in Edinburgh, one of the witnesses being Robert Veitch, merchant in Edinburgh.

6. Alexander, *b.* and *bp.* 24th April 1718 in Edinburgh, one of the witnesses being William Reid, writer.

James Dallas of Kirkmichael had the following daughters:—

- i. Mary, a minor 21st July 1681. On 28th January 1687 John Dallas, burgess of Nairn, as procurator for John Cuming, merchant in Nairn, and Thomas Marshall, burgess of Nairn, as procurator for Mary Dallas, lawful daughter of the deceased James Dallas of Balblair, give in a contract of marriage between the said Mary Dallas and John Cuming, dated at Nairn 15th January 1687: she with consent of Alexander Dallas, litster in Nairn, her brother german, conveys all that comes to her through the

death of her father and of her mother, Grizzel Ross, and he conveys generally what he may die possessed of to her in liferent and their children in fee. John Dallas and Thomas M'Phail, burgesses of Nairn, are made procurators, at whose instance diligence should proceed. The deed is written by John Dallas, notar in Fortrose, and signed by the parties before Mr. John Dallas, Dean of Ross, David Rose, bailie in Nairn, Alexander Dallas of Cantray, Hary Rose in Ardersier and broyr to Bredley, and Andrew Hood in Fortrose and John Dallas, indweller in Nairn. As the bride was unable to sign her name, Hugh Dallas, notary public, signs for her. (*Sheriff Court Rec.*, Nairn.)

- II. Besse, a minor 21st July 1681. She became the wife of John Dallas in Galcantray before the year 1697, and was still living 6th November 1725, when she is described as in Galcantray.

(Balblair means Town of the Moss.)

GEORGE DALLAS OF KIRKMICHAEL, the eldest son, does not occur in the records until after his father's death. There is, dated at Edinburgh, 21st July 1681, a disposition by George Dallas of Kirkmichell, eldest lawful son and apparent heir of the deceased James Dallas of Kirkmichell, to George Dallas of St. Martins; of the lands of Easter Balblair, commonly called Balblair and Kirkmichell, formerly possessed by the deceased Alexander Urquhart of Craighouse, and afterwards by the deceased Mr. Gilbert Anderson, minister at Crolie, and Mr. Hugh Anderson, his eldest son, as wadsetters; but under reservation of the liferent of Grishell, the disponent's mother, she maintaining William, Alexander, Marmadick, Marie, and Besse Dallas, his brothers and sisters. The witnesses to the deed are Mr. John Dallas and Mr. Andrew Balfour, writers in Edinburgh (*Reg. Deeds*, Mackenzie, lxxiii., 1693). Following this, on 20th August 1681, James Cumming, writer in Edin-

burgh, as procurator for George Dallas of Kirkmichael, passed to the personal presence of George Dallas of St. Martins, as superior, and made resignation of these lands into his hands in the dwelling-house of David Robertson, vintner, in Edinburgh, on the north side of the High Street near the Post Office and the close called . . . (*Reg. Sas.*, Inverness, v. fol. 129). In order, doubtless, to make up the title, there is sasine, dated 23rd September 1681, of George Dallas, lawful son and heir of the deceased James Dallas of Kirkmichael, in these lands on a precept of *clare constat* by George Dallas of St. Martins, as superior, dated at Leith 4th August 1681. (*Ibid.*, 130.)

It may be accepted as certain that this George Dallas of Kirkmichael was identical with George Dallas in Forres, whose children were there baptized between 1683 and 1690. There is in the possession of the descendants of Lachlan Dallas in Inverness a much-dilapidated Bible, formerly in his possession, which had apparently originally belonged to James Smith, master mason. On the title of 'the Genealogies' in this volume is very carefully and ornately written 'James Smith' with the date '1664,' and on the margin below occur together the names 'James Smith' and 'Issobell Farquhar' in the same hand. In the outer margin is written more carelessly, 'Per me James Smith master mason.' The wife of George Dallas in Forres was Elizabeth Smith, and a witness to the baptism of their eldest son is Mr. James Smith, Surveyor to his Majesty's Works. The aunt of George Dallas of Kirkmichael was Besse Dallas, the mother of Lachlan Dallas in Inverness, and it may be presumed that this Bible passed into her hands, or those of her son, on the failure of George's descendants: in no other way is it possible to account for this volume being in Lachlan's possession in 1722, when he recorded the birth of his eldest son therein. The eldest son of George Dallas in Forres is named James, doubtless after his grandfather, James Dallas of Kirkmichael, and as the maternal grandfather was also James (Smith), the second son was named John, probably after the Dean of Ross; while the eldest daughter

was named Isobel, after the maternal grandmother, Isobel Farquhar.

George Dallas in Forres is described as one of the magistrates of Forres in a charter of 15th November 1686 granted to Hugh Dallas, brother-german to Alexander Dallas of Cantray, and in the sasine following of the same date he is styled Bailie. On 14th June 1686 there is registered at Forres a bond by Alexander Stewart in Logie in his favour. He must have died not long before 2nd January 1690, when his posthumous child was born. By Elizabeth Smith, his wife, he had issue:—

- i. James, *bp.* 11th June 1685 at Forres, the witnesses being Mr. James Smith, Surveyor to His Majesty's Works, James Anderson, elder there, Florence Rose, relict of Bailie Forsyth, and Elizabeth Rose, her sister.
- ii. John, *bp.* 5th October 1687 at Forres, one of the witnesses being John Tulloch, glover there.
- i. Isobel, *bp.* 2nd June 1683 at Forres.
- ii. Elizabeth, 'the posthumous daughter,' *bp.* 2nd January 1690 at Forres, *m.* 15th February 1705, John Fraser, gunsmith, Edinburgh.

The fact that Alexander Dallas was served heir to his father, James Dallas of Kirkmichael, in 1708 proves that the sons, at least, of George Dallas in Forres died unmarried before that date.

Robert Dallas 'Jameson,' first a burgess and messenger, Fortrose, when he granted a bond for £218 to Hugh Dallos, Commissary Clerk of Ross, dated 2nd September 1674, was afterwards a merchant in Inverness. By his wife, Jane Smith, he had: (1) Janet, *bp.* 4th February 1677; (2) Jean, *bp.* 21st November 1678; (3) William, *bp.* 31st December 1680; (4) James, *bp.* 21st March 1682; (5) Joseph, *bp.* 17th April 1683; (6) Cerstie, *bp.* 16th May 1684; (7) Alexander, *bp.* 27th March 1688. Possibly he was a son of James Dallas of Kirkmichael. Mr. Dallas seems to have misread the deed of 21st July 1681 (p. 279), as the children do not appear to have been minors at that time.

## HUGH DALLAS I. OF BUDGATE

HUGH DALLAS, the fourth son of William Dallas of Budgate, who ultimately acquired the rights of his brother John over the lands of Budgate, was born in 1634 or 1635, and as 'writer in Edinburgh' first appears as the writer of a precept of sasine given to John Rose of Broadley as attorney for Mary Rose, the spouse of Mr. John Dallas, minister at Tain, 12th October 1658.

On 1st February 1659 he compeared before the Commissioners for the admission of notaries of the age of twenty-four years or thereby, with supplication to be taken on trial for the office of notary, and was thereupon admitted. He himself signs the entry, giving as motto 'Lux venit ab alto.' (*Admiss. Notaries*, VI.) Two years later, 19th July 1661, he compeared before two of the Senators of the College of Justice, described himself as writer in Fortrose, being of the age of twenty-seven years or thereby, and produced his presentation as notary, dated 19th June 1661. George Dallas, writer in Edinburgh, is cautioner, obliging himself 'to re-found' the losses of all parties damnified by Hugh. (*Ibid.*, viii.)

The exact date of his appointment as Commissary Clerk of Ross is not known, but on 24th July 1666 George Dallas, W.S., registered a sasine, dated 9th July 1666, in favour of Hugh Dallas, Commissary Clerk of Ross, for himself, and Hugh Ross in Insches as attorney for Christian Lauder, his spouse, and William Dallas, their eldest son, by James Dallas of Balblair as bailie, constituted by a contract of excambion made between Sir John Urquhart of Cromarty with consent of Dame Barbara

Mackenzie, his spouse, and Hugh Dallas, his wife and son, dated 6th June last, whereby they acquired the lands of Ferritoun, Auchmartine, and Inches; and they were accordingly infeft in these lands. (*Gen. Reg. Sas.*, xv. fol. 65.) This was followed by a charter under the Great Seal, dated 4th January 1667, confirming Urquhart's disposition (*Reg. Mag. Sig.*, lxi. No. 303), and very shortly afterwards the lands were transferred by Hugh Dallas to his brother George Dallas of St. Martins.

The transactions concerning the lands of Easter Balblair, otherwise Balblair and Kirkmichael, are sometimes difficult to follow, for though they were in possession of James Dallas of Balblair and Grizzel Ross, his spouse, in 1666, a charter was granted at Fortrose, 22nd December 1666, by John, Bishop of Ross, as superior, to Hugh Dallas, Commissary Clerk of Ross, of the lands of Kirkmichael, Balblair, Craighous, Easter Culbo, and Toberchurie, in the parishes of Kirkmichael and Cullicudden, to which one of the signatories was Mr. John Dallas, Dean of Ross; and sasine of these lands was given to Hugh Dallas on 12th May 1675, one witness being George Dallas of St. Martins. (*Gen. Reg. Sas.*, iv. fol. 340.) Further transmissions of these lands will be recorded later.

On 13th February 1667 sasine was given to Hugh Dallas, Commissary Clerk of Ross, upon a charter of confirmation dated 12th February 1667, by Sir George Mackenzie of Tarbet to him, of a part of the chapel lands or Mans of St. Catherine, formerly belonging to the late Alexander Hood, merchant, burgess of Chanonry (*Gen. Reg. Sas.*, xvi. fol. 253); and further particulars of this acquisition are given in a sasine of 23rd March 1685 to Hugh Dallas, in terms of a disposition by Janet and Christian Hood, only lawful children of the deceased Alexander Hood, younger, sometime merchant in Channorie, and Isabel Lauder, his spouse, and oyes and coheris of the deceased Alexander Hood, elder, sometime merchant there, and nieces and coheirs of the deceased Robert Hood, whereby

the said Janet and Christian, with consent of Donald Wright, *alias* M'Inteire, in Inverchannich, spouse to the said Christian, sold to Hugh Dallas their part of the lands of St. Katherine in Channorie with part of the churchyard of the cathedral church of Ross, and houses built thereon. The disposition is dated at Fortrose, 23rd June 1674, one of the witnesses being 'Robert Dallas Alex<sup>rs</sup> sone meñd in Invernes.' (*Reg. Sas.*, Inverness, v. fol. 308.) Another deed relating to the Manse of St. Catherine is a sasine, dated 25th September 1683, of Hugh Rose, Commissary Clerk of Ross, for himself and as attorney for Christian Dallas, his daughter, in terms of a disposition by David Monipennie, late bailie of Fortrose, narrating that William Innes of Roskeine, by bond of corroboration dated at Fortrose 10th August last, acknowledged that he was due to Hugh Dallas £171, 15s. 6d., whom failing, to be paid to his daughter Christian and her heirs, whom failing to Hugh's other children, secluding his eldest son, and in security infeft them in his part of St. Katherine's Manse. The disposition is dated at Fortrose 6th September 1683, one of the witnesses to the sasine (signed by William Dallas) being John Dallas, writer in Fortrose. (*Reg. Sas.*, Inverness, v. fol. 242.)

On 8th March 1667 Hugh Dallas, by his attorney, 'ane discreit youth Robert Dollas, merchant in Fortrose,' had sasine upon a bond for £857, 13s. 4d. by Thomas Ros, portioner of Little Allane, secured over the lands of Little Allane in the parish of Fearn (*Gen. Reg. Sas.*, xvi. fol. 258), and on 25th September 1668 he had sasine of these lands, otherwise called Balncore, in terms of a bond dated at Tayne, 24th September last, by Mr. John M'Kenzie of Inverlaoll for a debt of £1844, 13s. 8d. (*Ibid.*, xx. fol. 248.) On 2nd September 1679 there is an order to infeft him in these and other lands adjudged from Sir John Urquhart of Cromarty and Jonathan Urquhart, his son, for a debt of £2498, 4s. 4d. on 22nd July 1679 (*Gen. Reg. Adjud.*, xxvi.), and on 13th May 1682 he had sasine for



himself and as attorney for John Dallas, his second lawful son, in terms of a disposition by David Monipennie, late bailie of Fortrose, of the fourth part of the davoch lands of Little Allan, commonly called Belnacoir, dated at Fortrose 9th May 1682. (*Reg. Sas.*, Inverness, v. fol. 153.) This was followed by another sasine of the same date, to Hugh Dallas and his son, on a charter of resignation and *novodamus* of these lands by David Ros of Balnagowan as superior (*Ibid.*, fol. 154), which was in 1684 confirmed under the Great Seal. (*Reg. Mag. Sig.*, lxi. No. 209.)

Another acquisition of land is indicated in a sasine dated 30th October 1669, on a charter of John, Bishop of Ross, to him and his heirs of the lands of Little Tarrell, with the mill, etc., in the parish of Tarbet, dated 28th April 1668, one of the subscribers being Mr. John Dallas, Dean of Ross. (*Reg. Sas.*, Inverness, iii. fol. 462.)

The transfer of Budgate by John Dallas, Dean of Ross, to Hugh Rose of Kilravock, has already been recorded. Following this, on 10th July 1670, is a sasine to Robert Dallas, senior, merchant in Fortrose, as attorney for Hugh Dallas, Commissary Clerk of Ross, upon a charter by Hugh Rose of Kilraik dated 14th July last, to Hugh Dallas and his heirs, of the lands of Meikle Budzett, Newtoun of Budzett, Dallaschell, and Inshgeddell, in the parish of Calder, Robert Dallas above mentioned being witness to the charter and Alexander Dallas, indweller in Meikle Budzett, to the sasine (*Gen. Reg. Sas.*, xxv. fol. 329); while another sasine given on 15th July of the same year on the same charter is witnessed by Alexander Dallas, *alias* M'William Moir, indweller in the town of Inchgeddell, and Alexander Dallas, indweller in the town of Meikle Budziet. (*Reg. Sas.*, Elg. and Nairn.) On 21st February 1671 he disposed these lands in liferent, together with an annuity of eight bolls victual, 'to be uplifted from that perticate of land called the pendicle of Meikle Budzet,' to his spouse, Christian Lauder, and sasine, dated 26th June following, was

registered by John Dallas of Newtoun as bailie to William Campbell in Budzet as attorney of Christian Lauder, one of the witnesses to the sasine being William Dallas in Tealagan. (*Reg. Sas.*, Inverness, iv. fol. 92.) In this disposition Hugh Dallas is first designated 'of Budgate,' his previous designation, where any appears, having been 'of Ferritoun.'

Later he obtained recognition of his title to Budgate from the superior, the laird of Cawdor. On 19th May 1675 sasine is given to Hugh Dallas, Commissary Clerk of Ross, on a wadset by Sir Hugh Campbell of Calder dated 1st May last for 10,000 merks 'of new without prejudice to his former rights,' of the lands of Budgate, etc., also of that perticle of land adjacent to the lands of Budzet not formerly dispoed, called Easter Toirbeg; the witnesses to the sasine are Alexander Dallas of Inchgeddle and William Dallas of Budgate (*Gen. Reg. Sas.*, xxxv. fol. 174); and on 30th June 1676 there is confirmation under the Privy Seal to Hugh Dallas of the lands of Meikle Budzett, Easter Torbeg and other, 'redemable be pay<sup>t</sup> of 2000 m<sup>ks</sup> hold<sup>s</sup> of the laird of Caldell,' the composition being 200 merks. (*Sign. past Pr. Seal*, 1676-81.) Subsequently he obtained a charter under the Great Seal, dated 4th August 1680, confirming Sir Hugh Campbell's disposition (*Reg. Mag. Sig.*, lxxvii. No. 165), and this completed his title to the wadset of the lands of Budgate, which he held until his death and transmitted to his eldest son.

Reverting to the lands of Easter Balblair, on 12th May 1675 sasine is given to James Dallas of Balblair as attorney for Hugh Dallas, in terms of a disposition by Mr. Hugh Anderson, minister at Cromarty, as wadsetter of the lands, to Hugh Dallas, whereby he with advice and consent of Elizabeth Bruce, relict of Mr. Gilbert Anderson, his father, and now spouse to Mr. Andrew Ros, minister at Tarbet, dispoed to the said Hugh the lands of Easter Balblair and pertinents; George Dallas of St. Martine's witnessed the sasine. (*Reg. Sas.*, Inverness, iv. fol. 339.) A little later, on 5th July 1675,

he had sasine on disposition by Alexander Urquhart of Newhall, in four picks of land called the Easter and Wester Gallowbanks of Chanorie. (*Gen. Reg. Sas.*, xxxv. fol. 391.)

It seems probable that the father and uncle of his wife appear in a sasine dated 12th August 1679 to Hugh Dallas of Budzeat and Christian Lauder, his spouse, on a disposition by Mr. John Lauder, writer in Edinburgh, with consent of Mr. William Lauder, writer there, his brother german, to them in liferent and their heirs in fee, of his part of the lands of the Archdean of Ros, extending to 65 ells in length; also the croft called the Archdean's Croft; also a house or portion of the Parson of Kirkmichael's Manse; also a portion of land of the Kirkyaird of the Channorie of Ros, all lying within the Channorie of Ros and of old within the shire of Inverness, now of Ros, and all then possessed by the said Hugh Dallas and his tenants. (*Reg. Sas.*, Inverness, v. fol. 15.)

Another acquisition of what had once been church lands is recorded in a sasine dated 6th April 1680, of Hugh Dallas, on a bond dated at Fortrose 5th April, by James Thomson, notary public, burgess in Fortrose, to him and John Dallas, his son, for £120 Scots, in security of which he infefts them in his manse of land commonly called the Parson of Logie's Manse (*Ibid.*, v. fol. 51); and on 8th November of the same year he had sasine on a charter of apprising and adjudication by Alexander, Bishop of Ross, to him, under reversion of the church lands of Craighous, Toberchurne, Woodhead, Cullicuddin, Easter Culbo, Meikill, and Little Farnes, Gaynies and Kinveachie; the charter is dated at the Canongate, Edinburgh, and Channorie of Ross, 24th April and 12th May 1680, the witnesses in Edinburgh being George Dallas of St. Martin's, W.S., Mr. James Dallas, his eldest son, Mr. John Dallas and Mr. Andrew Balfour, writers in Edinburgh. (*Reg. Sas.*, Inverness, v. fol. 81.)

The circumstances under which Hugh Dallas acquired the lands of Galcantray in 1682 have been fully narrated in the

account of Alexander Dallas of Cantray, but it may be added that in 1684 he obtained a charter under the Great Seal confirming him in the possession of these lands.

On 10th August 1683 he had sasine, in terms of a charter of apprising by Alexander, Bishop of Ross, to him and his heirs of the lands of Nonakill, Cumlichnakill, Laichlavach, Sallarie, and Muckarnach, in the parishes of Kincarden and Roskene; the charter, written by Mr. William Dallas, writer in Edinburgh, is dated at Edinburgh 20th July, and at Channori, 1st August 1683 (*Reg. Sas.*, Inverness, v. fol. 233), and on the same date on a similar charter by Sir George Mackenzie of Tarbat, he had sasine of the lands of Cumlich, in the parish of Roskene and shire of Ross. (*Ibid.*) He also had sasine on 10th November 1683 as attorney for Alexander Dallas, his son, upon a bond and disposition by David Monipennie, late bailie of Fortrose, for 500 merks secured over his part of land at the Green Hillock among the canon lands and others: the deed is written by Mr. William Dallas, eldest lawful son of Hugh Dallas, and is subscribed at Fortrose, 11th October 1683, the witnesses being John Dallas, writer in Fortrose, and Mr. William Dallas. (*Reg. Sas.*, Inverness, v. fol. 250.)

Notwithstanding the fact that Hugh Dallas was duly infeft in the estate of Budgate by various deeds and charters, he appears to have regarded his title as wanting in security, and accordingly on 22nd October 1686 he obtained a disposition by Mr. John Dallas, Dean of Ross, eldest son and heir of the deceased William Dallas of Budgate, and brother and heir of the deceased Mr. Alexander Dallas of Galcantray, to Hugh Dallas, his brother-german, of the lands of Meikle Budzett, Dallaschyll, Tombeg, Toamlaggan, and Inshgaddall, and also of the lands of Nether and Over Gallcantray; and the granter binds himself to serve heir to his father and brother, and thereafter to infeft his brother Hugh in these lands under a penalty of £2000. He further ratifies Hugh's present possession of the lands and grants procuratory for resignation. The wit-





*J. D. Yeaton, Photographer, Elgin.*

CLAVA STONES



*J. D. Yeaton, Photographer, Elgin.*

CAWDOR BRIDGE

nesses to the disposition are David Monipennie, late Bailie of Fortrose, Thomas Gair, writer in Fortrose, and John Dallas, notary public there. (*Reg. Deeds*, Mackenzie, lix.) It is to be observed that the undertaking to serve heir to his father and brother is by no means conclusive evidence of the extinction of the heirs of Alexander Dallas of Galcantray, and was probably inserted in the deed as a matter of form only : no such service appears amongst the records.

An inscription at Fortrose records the death of Christian Lauder, spouse to Hugh Dallas, Clerk to the Commissariat of Ross, on 21st April 1691, and thus sets forth her virtues :—

‘ Harmless as dove, as serpent wise,  
To Mag’dlen’s love join’d Mary’s choice ;  
To God I lived, in him I die,  
With him I live tho’ dead I lie.’

There is an intimate note in a renunciation by James Dunbar of Dalcross, late Bailie of Inverness, narrating that the deceased Alexander Dunbar of Bellamuckatie, late Provost of Inverness, had apprised the estates of the deceased Mr. John Mackenzie of Inverlooll, whose rights are now established in his person, in which the lands of Little Allan called Balnacoir are included, but these have for a long time belonged to Hugh Dallas, Commissary Clerk of Ross, and John Dallas, his son, to whom he had promised that they should not be troubled in their possession, but also he had promised to the said Hugh, as his friend and relation, that he would disburden him and his son of the said apprising, which he now, out of the love and favour he has to them, does by this present renunciation and discharge, dated at Inverness 29th March 1697. (*Reg. Sas.*, Inverness, vi. fol. 99.)

No later reference to Hugh Dallas has been found, but he doubtless lived for some years afterwards, as his eldest son was not served heir to him until 1706. By his wife, Christian

Lauder, who was the daughter of Mr. William Lauder, writer in<sup>4</sup> Edinburgh, he had issue :—

1. William, his heir.
  2. John, of BANNANS.
  3. Alexander, who, as already narrated, was interested in lands in Fortrose in 1683. He died in April 1688, unmarried.
  4. Robert, ancestor of DALLAS IN MUSSELBURGH.
  5. George, mentioned as entitled to a contingent reversion in the lands of Insche, in the parish of Kirkmichael, 24th August 1670. He was dead before 18th October 1683.
1. Christian, *m.*, firstly, Alexander Dallas of Cantray, 1684 ; secondly (as his second wife), Lachlan Mackintosh of Strone.
  2. Barbara, who as second daughter on life of Hugh Dallas, Commissary Clerk of Ross, had sasine dated 21st September 1695, in terms of her contract of marriage, dated at Fortrose 3rd August 1695, between her and Rorie M'Kenzie, portioner of Navitie, and only son and heir of the deceased William M'Kenzie, portioner of Navitie, and Catherine Cockburn, his spouse, by which he obliged himself to infest his wife and their issue in his five oxgates and two pecks of land in Navitie, his mother's liferent being reserved. One of the witnesses to the contract is John Dallas, writer in Fortrose. (*Reg. Sas.*, Inverness, vi. fol. 44.) Roderick M'Kenzie died 25th January 1733, and he and his spouse were buried in the churchyard of St. Regulas, Cromarty, having had issue.



## JOHN DALLAS OF BANNANS

HE was the second son of Hugh Dallas of Budgate, Commissary Clerk of Ross. He was born in 1663. He was admitted a notary on 8th April 1685, and died in 1715. He married Isabella Munro, by whom he had the following children :—

1. Hugh Dallas of Bannans, *b.* 1695, who succeeded him. He was Town Clerk of Tain, and was served heir-male in special (*cum. ben. inven.*) on 17th May 1716. He *d.* unmarried, and was succeeded by his next brother.
2. John Dallas of Bannans, who *d.* without issue in 1724.
3. Robert Dallas, *d.* without issue in 1745.
4. William Dallas, *d.* also without issue in 1722.
5. George Dallas, of whom hereafter.
6. James, mentioned in his father's bond of provision, dated 27th June 1713, registered 30th May 1717 (Mackenzie, 120), but dead before 1st November 1715.

George Dallas was a writer in Edinburgh, and was served heir to his brothers, John, Robert, and William, on 25th July 1751. He married Jean Thomson, daughter of deceased John Thomson, mason, Edinburgh, being proclaimed on 28th November 1731. (*Edin. Par. Reg.*) He had the following :—

- (1) John, *bp.* 4th September 1732; (2) Thomas and Eliza, *bp.* 7th July 1739; (1) Isobel, *bp.* 24th July 1734; (2) Wilhelmina, *bp.* 26th January 1736; (3) Eliza, *bp.* as above; (4) Joan Davidson, *bp.* 18th November 1739; she was called after John Davidson of Whitehouse, W.S.; (5) Georgina,

*m.* 11th January 1755, Andrew Fisher, spirit merchant, Old Greyfriars.

George Dallas *m.*, secondly, Jean Sutherland, daughter of deceased Neil Sutherland, shoemaker in Thurso, on Sabbath, 5th February 1741. (*Edin. Par. Reg.*)

John Dallas of Bannans had the following daughters:—

1. Isabella, who *m.* John Munro, minister of Suddie, in 1724 or before.
2. Hendret.
3. Liliass, *bp.* at Cromarty, 13th September 1703, and *m.*, firstly, Peter Dallas, tacksman of Galcantray, and left an only child, Isabella, who was appointed executrix dative to her father on 30th April 1750 while a pupil, her tutor at law being Lachlan Dallas, peuterer in Inverness. Peter Dallas died 29th January 1743, and his widow married, secondly, Angus Mackintosh in Galcantray prior to 30th April 1750. Isabella Dallas was married to Hugh Munro, planter in the Granadoes, 13th January 1770. (*Canongate Mar. Reg.*)
4. Barbara, dead before 1st November 1715.
5. Christine, dead before 1st November 1715.

We have not been able to trace this family any further.

## ROBERT DALLAS, WRITER, EDINBURGH (MUSSELBURGH FAMILY)

ROBERT DALLAS, fourth son of Hugh Dallas of Budgate, is designed as 'younger,' writer in Fortrose, thereafter writer in Edinburgh. He was born in 1667. (*Greyfriars Bur. Reg.*) He married, firstly, Catherine Cochrane, daughter of William Cochrane, weaver in Edinburgh, and Janet Bell, his spouse. They were proclaimed on 16th February 1696; secondly, Margaret Paterson, who was married secondly to William Ross, writer, Edinburgh. He died 28th April 1711. He had the following children :—

1. William, *bp.* 30th July 1699, buried 30th April 1707.
2. Hugh, *bp.* 15th September 1700, who was served heir on 15th January 1708 to (1) his grandfather, Wm. Cochrane, and (2) to his great-grandmother, Janet Bell. He was served heir to his father, Robert Dallas, on 21st July 1711. He died without issue and was buried on 17th May 1712. (*Greyfriars.*)
3. Robert Dallas, wright in Edinburgh, who was served heir to Hugh on 25th August 1713, *m.* Helen Cowan, and was buried on 18th March 1738. He is called *only lawful son* in 1713; *bp.* 13th September 1702.
1. Janet, *bp.* 4th September 1698, *d.* October 1705.
2. Christian, *b.* 10th May 1712.
3. ?

Robert Dallas, wright, had by his wife, Helen Cowan, daughter of James Cowan, merchant burgess, the following children :—

- (1) Robert, *bp.* 8th September 1728; (2) James,

*bp.* 15th June 1730 ; (3) Thomas, *bp.* 3rd April 1732 ; (4) Helen, *bp.* 21st August 1726 ; (5) Jane, *bp.* 30th May 1735 ; (6) Margaret, *d.* 1737 ; (7) Marion, *b.* *m.*, firstly, 3rd February 1754, Andrew Buckney, writer, New Greyfriars ; secondly, 2nd August 1761, James Cumming, painter.

Robert Dallas was served heir to his grandmother, Janet Bell, on 17th January 1736.

Thomas Dallas, surgeon, Musselburgh, afterwards in Edinburgh, married on 23rd September 1753 (*Edin. Par. Reg.*) Jean Esplin, daughter of James Esplin, bailie of Edinburgh, tanner in Portsburgh, and Marion Robertson, his spouse. (See tombstone, St. Cuthbert's.) Marriage contract dated 21st September 1753. He married, secondly, Euphemia Clark, daughter of Hugh Clark, merchant in New Kirk Parish, on 11th May 1766. (*Edin. Par. Reg.*) She was daughter of Hugh Clark and Mary Beaumont, and granddaughter of Sir John Clark of Penicuik and Kirkpatrick, his wife. Thomas Dallas was served heir to his brother, James Dallas, on 4th June 1747.

Thomas Dallas by his first marriage had :—

1. Robert, *b.* 9th August 1755.
2. James, *b.* 21st January 1757. He was a writer in Edinburgh, and was served heir general to his father on 14th July 1780. He was admitted a W.S. on 3rd July 1781. He *m.* on 17th April 1783, Nancy, daughter of John Milne of Stobcross. He executed a trust deed for behoof of his creditors in favour of Horatius Cannon, W.S., and resigned his commission as a W.S. on 24th May 1792. He died on 2nd January 1802.

By his second marriage with Euphemia Clark, Thomas Dallas had :—

1. Thomas, who *d.* in infancy 20th May 1769.
2. Thomas, *bp.* 26th July 1769. He was a merchant in Edinburgh, and *m.*, 30th September 1795,

Elizabeth Kirkwood, daughter of James Kirkwood, engraver, by whom he had: (1) Thomas, buried Calton, 12th October 1796, aged three months; (2) James, of whom hereafter; (3) Christiana, *b.* 5th June 1801, buried 9th November 1801; (4) Euphemia, *b.* 31st July 1802, *d.* 26th November 1807; (5) John Somerville, *b.* 15th March 1804; (6) Henry Melville, *b.* 27th April 1807; (7) Edward, *b.* 5th September, buried 27th November 1807; (8) John, buried November 1865, aged fifty-six; (9) Amelia Elizabeth, *b.* 6th June 1811; (10) Frederick, *b.* 18th April 1813; (11) Fordyce, *b.* 1815, *d.* 12th February 1815; (12) Caroline, buried 26th February 1817. Thomas Dallas *d.* at 35 Royal Terrace, Edinburgh, and was buried in Old Calton Cemetery, 11th January 1833.

James Dallas, above mentioned, *m.* 10th April 1820, Miss Marion Johnston, daughter of Robert Johnston, by whom he had: (1) Margaret, *bp.* 12th April 1823; (2) Elizabeth, *bp.* 3rd December 1825; (3) Robert, *bp.* 11th December 1832.

3. Mary, *m.* ; she and her brother Thomas are both mentioned in a discharge dated 16th November 1792. (Mackenzie, vol. 292.)

## WILLIAM DALLAS VI. OF BUDGATE

WILLIAM DALLAS, the last of the family to retain a hold upon the ancestral property, was the eldest son of Hugh Dallas of Budgate, and was born in or about the year 1661. He is mentioned in the documents relating to his father's acquisition of the lands of Ferritoun in 1667, already cited, when still an infant, and in 1675 he was admitted a student of Marischal College, where he remained until 1677, afterwards taking the degree of Master of Arts. He signed the registering of a sasine in favour of his father on 18th August 1679, and his signature is subsequently often found in place of his father's in the register of sasines, which was in his father's custody at Fortrose.

It must have been about this time that he was apprenticed to his uncle, George Dallas of St. Martins, Writer to the Signet, and he is mentioned as 'servitor' of St. Martins on 18th October 1682 in a registration at Fortrose of an inhibition by his father against Alexander M'Lennan, son of the deceased Alexander M'Lennan, writer in Fortrose, for several debts. (*Reg. Inhib. Ross*, vol. i.). He was now a writer in Edinburgh, and on 25th May 1683 he compeared before Sir John Wauchop of Edmondstoun and Sir Alexander Seton of Pitmedden, and, being 'of the age of twenty-two years or thereby,' was admitted a notary, his cautioner being Mr. John Dallas, writer in Edinburgh. (*Reg. Admiss. Notaries*, vol. xii.) On 14th October 1683 he was admitted a burghess and guild brother of the burgh of Fortrose (*Council Min. Bk.*), the record being in the handwriting of his father, who kept these minutes

from 1674 to 1690, though some of the entries are written by his son, John Dallas of Bannans. In 1684 he witnessed the marriage contract of his sister Christian and Alexander Dallas of Cantray.

He was admitted a Writer to the Signet on 5th January 1687, and acted as joint fiscal of that Society in 1695, and from 1697 to 1702. His name frequently occurs in the Minutes of the Society, but not in relation to any public business, until 20th December 1709, shortly after which date he appears to have taken up his residence in Inverness. On 29th September 1668, by deed written by John Dallas, writer in Fortrose, he was appointed factor to Mr. James M'Culloch of Polton (executor to his uncle, Sir Hugh M'Culloch of Polton), who went to Ross-shire upon some important business. (*Reg. Deeds*, Mackenzie, vol. lxiii.)

He was contracted with Henrietta Cockburn in the Edinburgh City Parish, 10th February 1689, and was married by warrant to Mr. Alexander Ramsay, but the date of the marriage is omitted in the register. Shortly after his marriage, on 14th June 1689, sasine was given to Alexander Dallas in Budzet, as attorney for Mr. William Dallas, W.S., eldest lawful son to Hugh Dallas of Budzet, Commissary Clerk of Ross, and Henreta Cobburn, now his spouse and eldest daughter of William Cobburne, merchant in Edinburgh, in terms of the contract of marriage between the said William and Hugh, his father, and the said Henreta and her father, dated at Edinburgh and Fortrose 26th February and 1st June 1689, whereby Hugh Dallas obliged himself to infest his son and daughter-in-law in liferent and their heirs in fee (etc.) in half the lands of Meikle Budzet called Budzet More, Newtown of Budzet, Dallaschyle, Torbegg, Tealagan, and Inchgeddle, and also the other half of the said lands. The witnesses to the contract at Edinburgh on the 26th February were Sir Archibald Cockburn, younger of Langton, George Dallas of St. Martins, W.S., Mr. William Lauder, indweller in Edinburgh,

Mr. Archibald Sinclair, advocate, Mr. George Morisone of Petfour, advocate, Mr. William Eccles, M.D., Mr. Andrew Balfour, W.S., Mr. George Dallas, son to the said George Dallas, Mr. James M'Culloch of Piltoun, Alexander Munro of Ardulzie, one of the Under Clerks of Session, Mr. Alexander Ramsay, one of the ministers of Edinburgh, and some others, the names of the witnesses being filled up by Mr. William Dallas. The superscription of Hugh Dallas was given at Fortrose 1st June 1689, before Mr. David Angus, minister at Rosemarkie, John Dallas, 'his own son,' and others. (*Reg. Sas.*, Inverness, v. fol. 502.)

About this time he was a party to several bond transactions which may be briefly noted. On 18th February 1690, at Edinburgh, William Cockburne, merchant burghess of Edinburgh, assigned to him a sum of £300 in a bond by the deceased Thomas Robertstone, merchant in Edinburgh, dated 29th September 1675 (*Reg. Deeds*, Durie, vol. lxxx.); on 5th September 1691 he had a bond for £410, 8s. from John Sinclair, younger of Brims (*Ibid.*, Dalrymple, vol. lxxvi.); on 21st July 1692 he had a bond for £880 given in London by John Law, lawful son to the deceased William Law, goldsmith in Edinburgh (*Ibid.*); and on 3rd August 1693 he himself gave a bond for 500 merks to John Cunningham, younger, W.S. (*Ibid.*, vol. lxxvii.). Amongst the Cantray charters there is also an extract dated 31st May 1714 recording a bond by him dated at Budzet 6th June 1702, given to Alexander Dallas, tenant in Budzet, and Isabella Hutchison, his spouse, for 1000 merks, the witnesses being 'John Dallas of Bannans, my brother-german,' and 'James Dallas, my tenant in Newtown of Budzet.' (*Cant. Chart.*). This bond is referred to again on p. 462.

There is on 13th January 1703 an inhibition at the instance of Mr. William Dallas, W.S., narrating that James, Lord Duffus, granted a bond, dated 22nd July 1690, to the deceased George Dallas of St. Martins, whereby he obliged himself to pay



certain sums of money to him if on life, and failing him by death, to Margaret Dallas, his lawful daughter, thereafter spouse and then relict of Mr. George Morrison of Pitfour, advocate, and that she afterwards, with consent of Robert Murray of Pulrossie, now her husband, assigned the bond to William Dallas, who uses the inhibition. (*Reg. Inhib.*, Elgin, Forres, and Nairn, vol. iii.)

On 30th July 1706 he was served heir general to his father, Hugh Dallas 'of Bridzett,' Commissary Clerk of Ross (*Serv. of Heirs*, liii. 239); and on 5th November 1711 he granted a tack of the Mains of Meikle Budzet to Alexander Dallas, tenant in Budzet, and Isobel Hutchison, his spouse.

Another interesting inhibition is that dated 9th October 1711, at the instance of Robert Dallas, only lawful son now on life of the deceased Mr. Robert Dallas, writer in Edinburgh, and of Marmaduke Dallas, litster, and William Ross, writer, his tutors testamentar, against Mr. William Dallas, W.S., who by his bond dated 23rd April 1711 obliged himself to pay to the said Mr. Robert Dallas, being on life, 4700 merks, and in the event of his death 3700 merks of the said principal sum and the interest of the whole to the now deceased Hugh Dallas, then his eldest son, whom failing, to the said Robert Dallas (the inhibitor) and his heirs or his assignees after his majority, with a penalty of 700 merks for the non-payment before the ensuing term of Martinmas and interest until paid. (*Reg. Horn.*, etc., Inverness, xi. fol. 74.) This obligation is included in the litigation between John Dallas of Bannans and the heirs of William Dallas presently to be narrated.

There also occurs a renunciation (registered at Fortrose) by Marmaduke Dallas, litster, burgess of Edinburgh, narrating that William Dallas, by his bond dated 6th July 1711, acknowledged having borrowed from him £2200 Scots, in security for which Marmaduke was on the 26th June last seased in the interest thereof (registered 3rd June in the General Register of Sasines at Edinburgh), and the principal sum having been

paid, he discharged at Edinburgh on 8th December 1712. (*Reg. Sas.*, Inverness, vii. fol. 236.)

Whatever may have been the financial position of William Dallas, it is clear that he was at least in temporary need of money at this time, for on 10th June 1712 he executed a bond for 1800 merks in favour of his brother, John Dallas of Bannans, of which more will be said hereafter.

On 9th April 1713 sasine was given by Alexander Dallas, tenant in Meikle Budzett, as bailie, to the attorney of Mr. William Dallas, eldest lawful son to the now deceased Hugh Dallas, Commissary Clerk of Ross, and the said Mr. William Dallas, now designed of Budzet, W.S., in the lands of Meikle Budzet and Over and Nether Galcantra, in terms of a disposition dated at Fortrose, 22nd September 1684, by the said Hugh Dallas to the said Mr. William Dallas and his heirs, of the lands of Meikle Budzet, Newtoun of Budzet, Dallaschyle, Inchgeddell, and the adjoining portion of land called Easter Torbegg, under reservation of the liferent of Hugh Dallas and Christian Lauder, his spouse; and also the lands of Over and Nether Galcantra. Among the witnesses to the sasine are Mr. Hugh Dallas, schoolmaster at Ballafriesh, John Dallas in Galcantra, James Dallas there, and Hugh Dallas in Budzet. (*Reg. Sas.*, Inverness, vii. fol. 275.)

He was living on 10th April 1713, when, within his dwelling-house at Inverness, an instrument of resignation was made in his presence, as superior, by Thomas Fraser, glover, burgess of Inverness, as procurator of Marmaduke Dallas, litster, burgess of Edinburgh, of the bond for £2200 Scots recorded above. (*Reg. Sas.*, Inverness, vii. fol. 277.) His death is recorded as occurring in Inverness on 23rd April 1713. By his wife, Henrietta Cockburn, who was, according to a decret of declarator by John Dallas of Bannans (*Cantray Chart.*), dated 1742, still living at that date, he had issue:—

1. Hugh, *bp.* at Edinburgh 30th April 1691; buried in the Greyfriars, Edinburgh, 11th August 1691.

2. William, *b.* 6th April, *bp.* at Edinburgh 18th April 1693; buried in the Greyfriars, Edinburgh, 20th June 1695.
3. 'A child,' buried in the Greyfriars, Edinburgh, 'a triof,' 17th November 1696.
4. George, *b.* 10th, *bp.* at Edinburgh 22nd January 1699; *d.* before 1713.
5. William, *bp.* at Edinburgh 18th May 1701, amongst the witnesses being Mr. Robert Dallas, writer, and Mr. Charles Dallas, merchant burgess. He was his father's heir, and was engaged with his mother in litigation with his uncle, John Dallas of Bannans, an account of which is given below. He died unmarried before 1724, when his three surviving sisters were served heirs to their father.
6. John, *bp.* at Edinburgh, 9th October 1709; he *d.* 5th July 1712, and was buried in Inverness.
1. Jean, *b.* 22nd, *bp.* at Edinburgh 30th January 1690, not 'in a state of infancy' at her father's death in April 1713. She was served, with her two sisters, co-heir of provision general to her father, William Dallas, W.S., 19th November 1713, and is mentioned as one of the three children 'now on life' of William Dallas, W.S., in a decret of declarator by John Dallas of Bannans, dated 1742 (*Cantray Chart.*), when she is stated to be the wife of George Cuthbert, M.D., in Inverness.
2. Henrietta, *bp.* at Edinburgh 30th April 1703, among the witnesses being again Mr. Robert and Mr. Charles Dallas. She was an 'infant' at her father's death in 1713, and was served co-heir of provision general to him, 19th November 1713. She is mentioned in the decret by John Dallas of Bannans as one of the three children 'now on life' of William Dallas, W.S., in 1742, when

she is stated to be the wife of Lieutenant Edward Scattergood.

3. Mary or Marion, whose baptism has not been found. She was an 'infant' at her father's death, was served co-heir of provision general to him 19th November 1713, and was the third of the three children 'now on life' of William Dallas, W.S., mentioned in the decreet above referred to, dated 1742, when she was the wife of                      Graham.
4. Christian, *b.* 4th, *bp.* at Edinburgh 22nd July 1707; *d.* at Inverness 27th October 1714.

Very shortly after the death of William Dallas, the 'last of Budgate,' disputes of a legal nature arose between his widow and son and John Dallas of Bannans, his brother, whom he had nominated one of the tutors and curators of his children. The litigation was prolonged, but the final decreet, pronounced on 13th June 1719, traverses the whole grounds of complaint on either side. As this decreet extends to over 150 pages of the record volume, it is impossible to give it in its entirety, but it is of such an interesting character, and contains so many genealogical facts, that no excuse is needed for presenting it in somewhat lengthy abstract.

Anent the several complaints given in :

'At the instance of the now deceased John Dallas of Bannans against Mrs. Henrietta Cockburn, relict of Mr. William Dallas, W.S., and tutrix to his children, and a counter action by her with a summons of Declarator at the instance of William Dallas, eldest lawful son and apparent heir of the said deceased Mr. William Dallas, against the said deceased John Dallas of Bannans, as also a summons of constitution at the instance of Hugh Dallas, eldest lawful son of the said deceased John Dallas of Bannans against the said William

Dallas as heir served and retoured to his father, the said deceased Mr. William Dallas of Budzet, W.S., and his said mother.

‘The complaint by the said John Dallas of Bannans bears that the said Mr. William Dallas, W.S., died a few months ago, and that he had then in his custody writs of considerable importance with which he was entrusted in his professional capacity, and among these valuable securities which had been in the custody of Hugh Dallas, his father, who was Commissary Clerk of Ross and employed in transactions of the greatest importance in that county ; as also with the writs of his own estate, which were in his cabinet, with which the complainer was well informed his said relict had meddled, and used all freedom in opening the cabinet and taking out writs ; which rash and unwarrantable action of hers might be to the detriment of those whose writs were in his keeping.

‘The complainer was brother-german to the defunct, and was entitled to be tutor of law to his children in case there was no nomination by himself ; he was also creditor to him in considerable sums, and cautioner for him in several debts, and he craved that the writs might be replaced in the cabinet, sealed up, and the keys placed in the hands of one of the judges of the place where the defunct died, which she had refused to do without compulsion.

‘This petition was intimated to the defenders by order of the Court on 26th February 1714. In her answers Mrs. Cockburn represents that “as she foregave the groundless calumnies thrown upon her by the petitioner, so she heartily prayed (for the reasons hereafter mentioned) that their Lordships would direct the papers to be inventoried and herself to be examined upon what was represented in the strictest manner that law proposed, although she might legally refuse, having been nominated by her husband tutrix to his children. She begged to trouble their Lordships with a complaint of such consequence to her, and so extraordinary in itself, as

would, she hoped, move their Lordships' compassion, and afford her direction as well as protection."

'In the month of (April) 1713, Mr. William Dallas died, leaving a small estate, five children, all in a state of infancy except one, and her, their mother, within two months of being delivered of a posthumous birth. The very night of his decease John Dallas, the petitioner, whom nobody jealoused, as being the defender's brother, trusting mournful condition of the orphan family, found means to get in amongst these papers, which he now had the assurance to speak of, and there to examine them very closely for that and many other nights together. It might be very easily supposed that in such melancholy circumstances she did not much examine what was adoin<sup>g</sup>, reposing full confidence in that man who of all others she looked upon as most concerned to take care of her husband's family and affairs. But some time afterwards it came to be talked amongst her serving maids that they had several times helped Master Dallas in the night time to carry off large bundles of papers, and in this they thought they did no wrong, since they saw him go avowedly amongst them. This information gave her a very sensible concern when she began to consider that there was a heritable bond lodged among the papers for 3000 merks, designed to have been delivered to John, the petitioner, for the equivalent sum which he had at the forthcoming term promised to lend her husband, but failed in that. There might be several retired bonds and transactions with their discharges likewise there. That there was a complete tract of vouchers of tutor's accounts uncleared betwixt her husband and Dallas of Cantray, once his pupil, in the same place, and that several partial receipts and clearances of annual rents and small sums due by the defunct were in that keeping, besides the instructions of what debts might be due to her husband and all the rights of his little interest. Her apprehensions were exceedingly increased when she understood from good hands that John was taking assig-



*J. D. Yeadon, Photographer, Elgin.*

BRODIE CASTLE



*J. D. Yeadon, Photographer, Elgin.*

RAIT CASTLE





nations to such small sums as his brother owed in the neighbourhood, and when she was told, first by others and then by himself, that her husband had died little less than a bankrupt, that he owed pretty near £1000 sterling to John, to whom (though she had a tolerable guess at his other debts) she never thought he had been due above a trifle. But being told that her serving maids, who were all the evidence she had of his riffling the defunct's papers, would scarcely be habile witnesses, she chose to delay her complaint till she should meet with further proofs of his practice, which good providence put in her way in the following manner. Upon the 10th day of March last John, thinking belike that he had done too gross an action in abstracting the writs and rights of the proof land interest that her husband had been possessed of, came to her house in Inverness with a bundle of thirty-nine pieces of papers and pairchments industriously hidden under the skirts of his coat, and training her into the room where he knew the charter-chest lay, placed himself as near as possible, and after a little indifferent discourse he dropped the papers on the floor, starting with an affected surprise at their fall, and asking her how she came to keep her husband's papers so loose. She suspected the contrivance immediately and began to accuse him, but, instead of returning her answer he run out of the room (there being no witnesses present), and she, with the haste of a woman who had as good reason to be concerned, pursued him to the streets, where at length she got hold of him, but had neither force nor argument to bring him back, till very luckily Sir Archibald Campbell of Clune, with two notars public and several witnesses, happening to go by, persuaded him to return to the room where the papers were, and there (his conscience being struck by the recency of the fact) he owned that these papers were the rights of his brother's lands of Badzet and Gallcantray, which he had, without inventar or witnesses, taken from amongst his other papers after his decease, but withal had the hardiness to offer them

back to her under form of instrument, which she refused to accept of until he accounted for the rest of his vicious intrusions. The notaries, by the advice of the persons then present, reckoned them over and locked them up in a particular corner in the charter-chest, and his acknowledgment was vouched by an instrument, under the hands of the two notaries and the witnesses then present, produced with these answers, and might be further instructed by their oaths. "She hoped this would be sufficient proof, and asked their Lordships, now that John Dallas had sisted himself, to ordain him to answer this complaint of hers." This they did by their decree of 15th June 1714.

' In his answers John Dallas says it would be an easy matter to disprove the truth of the above allegations, because first, she does not deny that she had the keys of the defunct's cabinet; second, it was an affected story that there was a bond for 3000 merks conceived in favour of Mr. Dallas and granted by the defunct lying beside him undelivered. It was very unusual for any person to subscribe bonds of borrowed money till delivery of the money were made. However, if there were such he could have no access to it for the reason above stated. Moreover, the law would presume that all bonds granted by the defunct to Mr. Dallas, his brother, were duly delivered, and that the same were granted for onerous causes. Third, it was as ridiculous for the relict to pretend that these were retired bonds with the discharges thereof abstracted by Mr. Dallas, for it was not to be imagined that the defunct, who was a person versant in business, would keep beside him any retired bonds without cancelling the same. A bond is no sooner retired to a debtor than he takes good care presently to have his name torn from it, nor could it be thought that Mr. Dallas would do anything in prejudice of his brother's children, especially when the same could no manner of way tend to his advantage. Fourth, the same arguments would answer the charge of his abstracting of

the vouchers of the tutor's accounts uncleared betwixt the defunct and Dallas of Cantray, for he could not be prompted thereunto by any proper advantage to himself, nor could it be presumed that he would prefer the interest of any third party to the interest of his brother's children. Fifth, as to the abstracting of the writs of his brother's estate, this could serve him in no stead, nor could the leaving them in his custody be any ways profitable to him, so that upon the whole it was most evident that the petition was wholly calumnious. But suppose Mr. Dallas had looked into his brother's writs after his decease, the same would be very justifiable in him, (1) for he was nearest agnate to the defunct, and would have been tutor in law had there been no nomination of tutors, (2) he was truly one of the tutors nominated by the defunct, and therefore might have good reason to make inquiry into the state and condition of his brother's affairs, (3) any inspection that he could have had behoved necessarily to have been of consent and approbation of the relict, because the keys of the cabinet where these writs were kept were acknowledged by herself to have remained in her hands, and it was by her alone that he could have access. He complains that she concludes nothing specially in her petition. He "was at present in a remote corner of the country, and had his residence in the shire of Ross, and it was not possible that he could be quickly acquainted with the articles of charge contained in the petition, nor would the form of procedure before the Lords oblige him to answer to any petition containing such conclusions summarily." He therefore thought she should make specific charges and cite him in the usual way.

'Summons of Declarator at the instance of the said William Dallas, eldest lawful son and apparent heir to the said Mr. William Dallas, W.S., and Henrietta Cockburn, his mother and tutrix, against the said John Dallas of Bannans. He seeks declarator that the said John Dallas of Bannans did clandestinely meddle with the keys and writs of the said

defunct, and therefore has become liable for the payment and performance of all the defunct's lawful debts and deeds universal ; and that he should pay particularly, besides the debts due to himself, that to William Dallas of Cantra for his rents, goods, means, and estate which were or might be chargeable upon the said defunct Mr. William Dallas or upon Hugh Dallas, his father, both of whom were tutors and curators to the said Cantara, and for which compting Cantara was presently pursuing the relict and children of the said Mr. William Dallas, as also to be punished otherwise for his unwarrantable and fraudulent intermeddling.

‘ The Summons of Constitution by the said Hugh Dallas, eldest lawful son of the said deceased John Dallas of Bannans and heir served and retoured to him, and also executor confirmed to him, against the said William Dallas and his mother, and other tutors if any he have, mentions the following deeds:—

‘ Bond by Mr. William Dallas of Budzet, W.S., dated 6 June 1702, to Alexander Dallas, tenant in Budzet, and Isobel Hutchison, his spouse, for 1000 merks.

‘ Assignation thereof by the said Alexander Dallas on 5 October 1713 to the said deceased John Dallas of Bannans.

‘ Bond by the said Mr. William Dallas and Sir William Gordon of Dalpholie, dated 28 July 1703, to Aneas M'Leod of Cadboll for 1000 merks, which the latter assigned on the 11th May 1714 to John Dallas of Bannans.

‘ Bond by the said Mr. William Dallas to the said deceased John Dallas, dated 5 June 1712, for 3300 merks, and another, dated 10 June 1712, for 1800 merks, and another, dated 7 November 1712, for £500 Scots ; and among others Bond of Cautionery of the said John Dallas of Bannans for the said deceased Mr. William Dallas that he would pay to Robert Dallas, only lawful son, and children on life of Mr. Robert Dallas, writer in Edinburgh, brother-german to the said Mr. William Dallas, and to Margaret Paterson, relict of the said Mr. Robert Dallas, now spouse to William Ross, writer,

there, and the said William for his interest, and to Marmaduke Dallas, litster, burgess of Edinburgh, three of the tutors and curators nominated by the said defunct to his children, dated 3 March 1711, the penalty incurred being 3700 merks and 700 merks and the annual rents of the whole. Mention is also made of Hugh, the brother of Robert Dallas. These sums are still due.

‘Parties being called and the case coming into court, among the productions for Henrietta Cockburn were :—

‘Instrument taken against the said John Dallas, brother-german and tutor testamentar nominated by the deceased Mr. William Dallas of Budzet, W.S., protesting against his unwarrantable and wrongful intromission with her husband’s writs, dated 10 March 1714.

‘Precept of sasine by David Lindsay, Earl of [Crawford] in favors of . . ., dated 10 February 1442.

‘A long missive letter written and signed by Mr. William Dallas of Budzet, Commissary Clerk of Ross, dated 9 November 1699.

‘Double of a tack of the lands of the Mains of Meikle Budzet, with the house and others, by the said Mr. William Dallas to Alexander Dallas, tenant in Budzet, and Isobel Hutchison, his spouse, dated 5 November 1711.

‘Rental of the victual and money rent, wedders, lambs, reek, and other hens, capons, etc., payable out of the lands of Meikle Budzet, Newton thereof, Dallaschyle, Inchgeddill and parts and pertinents thereof, Over and Nether Galcantrys, mills thereof, houses in Channery and rig at Rosemarkie, which bears to be wrote by the said Mr. William Dallas himself.

‘Nomination of Tutorry by the said Mr. William Dallas of Henrietta Cockburn to be sole tutrix, and of John Dallas of Bannans to be sole tutor testamentar, and after the expiry of the tutorry to be sole curators to the children of the said Mr. William Dallas, dated 17 April 1713.

‘Principal Disposition and Assignment by Mr. William

Dallas to Henrietta Cockburn of his whole household plenishings dated 17 April 1713.

‘A Memorial wrote in a piece of paper about the largeness of a card containing several mementoes to be minded by the said Mr. William Dallas, and of monies given out by him to certain persons therein named, apparently written by himself and to begin 23 December 1693.

‘A little piece of paper which bears to be a list of debts due by the said Mr. William Dallas to the persons therein named, consisting of six leaves and extending to 11,700 . . .

‘Two books containing accounts of depursements by the said Mr. William Dallas upon the affairs of several persons mentioned therein, one bound in parchment, the other in leather.

‘Account of Charge and Discharge betwixt Aneas M’Leod of Cadboll and the said Mr. William Dallas, dated at the back 1713.

‘Scroll of translation by the said Mr. William Dallas to said Eneas M’Leod of a bond by John, Master of Tarbat, for 200 merks to George Dallas of St. Martins, and assignation thereof by the said George Dallas to Hugh Dallas of Budzet, father of the said Mr. William Dallas, and assignation by his said father to him, dated 6 August 1708.

‘Assignation by Patrick Comrie, writer in Edinburgh, to the said Eneas M’Leod of £100 Scots contained in a bill drawn by Hugh Dallas, Sheriff Clerk of Ros, and accepted by the said Mr. William Dallas, dated 10 April 1701.

‘Bond by William Gordon of Dalpholly to the said Mr. William Dallas to relieve him in the sum of 100 merks.

‘Cancelled bond by the said Mr. William Dallas to John Dallas, his brother-german, for 3000 merks, dated 10 June 1706.

‘There were also produced for Henrietta Cockburn, as tutrix, and the said William Dallas and other tutors, more accounts and receipts.

‘There were produced for Hugh Dallas a number of bonds

to his father, and an assignation by Alexander Dallas in Budzet witnessed by James Dallas, his eldest son, and others.

‘ The decret is that William Dallas pay the sum sued for.

‘ Afterwards the complaint against John Dallas of Bannans was taken up, and the said Henrietta Cockburn offered to prove that the very day or the next day after Mr. William Dallas deceased the respondent John Dallas found means to get access to the chests where the late Mr. William kept his own papers and those belonging to other gentlemen in the neighbourhood. That at that time and for many subsequent weeks, until the complainer was recovered after the birth of a posthumous child, he was in use to employ the complainer’s maids to carry off privately bundles of papers in the night time, and otherwise that the said John Dallas having been trapped in the design of returning privately papers that he had formerly imbasled, which in fact were not for his purpose, he acknowledged before famous witnesses that the said writs were intromitted with by him privately after his brother’s decease, and taken from out the charter-chest without witnesses, inventory, or other order of law.

‘ The matter being debated, the Lords ordain Henrietta Cockburn to adduce her proof and also allow the other side to adduce their proof that Mrs. Dallas kept the keys, and that she and others by her order meddled with the writs without John Dallas’s presence, and they impower the Sheriff or Commissary of Inverness to make up an inventory of the writs in the charter-chest and lock them up until further order. In the course of the proceedings John Dallas of Bannans craved that the oath of the said Henrietta Cockburn be taken as to her intromissions with her husband’s estate, and among other things she says she uplifted £19, 14s. due by John and James Dallas in Galcantra as part of their customs, and received from John Dallas in Galcantra a guinea in full payment of a bill due by him to Mr. William Dallas for two guineas. She sold the Arras hangings, which is part of the moveable heirship,

to . . . Cuthbert of Castlehill for £90. She sold the said Mr. William Dallas's cabinet or scrutore, which is also part of the moveable heirship, for £48. She sold a silver server for sixteen crowns or £48, and she sold of the defunct's books to the value of £30, and disposed of all the rest of them, and she sold his saddle, saddlegraith and pistols to George Forbes, messenger at Inverness, for £20. She is examined in Court upon oath about the papers and account-books of her husband, and in the course of it she says she got from her husband an assignation of Cantra's debt in favour of his daughters.

'Mr. William Dallas's death is said to have been on 23 April 1713. Then a petition was given in for William Dallas, the son, showing that application having been made for the exhibition of the writs that should have been in Mr. William Dallas his father's charter-chest, before the process was brought to an end John Dallas of Bannans died, and the *annus deliberandi* of his heir stopped proceedings for a time, and the said heir then further delayed, and afterwards raised an action of constitution. He now prays that their Lordships would "advise summarily the probation adduced upon the foresaid complaint which is already marked clear and would remit the process of constitution at the instance of Hugh Dallas against the petition to that other process," so that the whole case might be under consideration at once.

'This was remitted for answers, and these being heard on 31 January 1718 the Lords ordained the process of constitution to be transmitted with the petitioners' process and complaint, that both might be dealt with at once. There was a rehearing on 9 February 1718, and a petition was given in for Henrietta Cockburn, and for William, Henrietta, and Mary Dallas, children to the said Mr. William Dallas of Budzet, narrating that their opponent has arreisted the rents of Mr. William's lands of Budzet and Galcantray in the tenants' hands, so that they cannot obtain subsistence, and that since the conjoining of the pleas the agents of Hugh Dallas had



kept up the process, and so, ever since, the petitioners have been in the greatest straits. The mother had only access to three chalders of victual of her jointure for the maintenance of herself and children, who should have been alimented out of their father's estate, which is far more valuable than the arresters claim, and her credit being now exhausted, she prays their Lordships that she may be authorised to uplift what will be a subsistence for the children. Answers being required hereto, Hugh Dallas replies that the petition is illegal and extraordinary, and the Lords have rejected as many such petitions as have been offered to them within these few years, but he avers there is no such arreistment as she states, though if there were she could get clear of the interest by finding caution. Then as to having access only to three chalders of victual, it can be proved "since her husband's decease few of the rents have escaped her hands. Besides she had uplifted considerable sums in the country wherein her deceased husband was creditor," and moreover she never produced her liferent right. The Lords refuse this petition on 28 February 1718, and on 12 November 1718, having further advised the case, they find it proved "that the deceased John Dallas did frequently and privately by himself meddle with the writs which belonged to Mr. William Dallas, his brother, after the said Mr. William's death, that he took several of the said writs out of the repositories wherein the same had been left by his deceased brother, and fand that his doing so was illegal and unwarrantable, and that there arises thereby a presumption that the bonds or other obligations due or convoyed to himself were either not delivered or retained or otherwise qualified or extinguished, unless such bonds or obligations could be so astricted or the debts therein contained might bear to be resting owing the time of his decease." They ordained parties' procurators to speak to this point on Tuesday next. Thereupon Hugh Dallas presented a petition representing that by this interlocutor they were too much circumscribed, and the

point touches the rights and duties of tutors. Then the petition proceeding to deal with the interlocutor, Hugh Dallas says John Dallas did meddle with his brother's papers, but that he did so frequently and privately is not so clear, as Henrietta Cockburn kept the key of the place where the papers lay, and he could not have access without her concurrence. "He did not lock the room door where the papers lay and search, for he was seen do it by strangers, nor is there anything that points at the private way of meddling, save what is deponed upon by one of the witnesses, that he delivered certain papers to Margaret Stewart to be carryed away, and that he desired the back door to be left open." And after traversing the legal aspect of the interlocutor Hugh Dallas desired to be heard upon the whole case. The Lords refuse at their sitting on 6 December 1718. Then Mr. Hugh Dalrymple and Mr. Charles Erskine, Mr. Duncan Forbes and Mr. Robert Dundas, as counsel for the parties, deal with the question of astrictiion of the debts, and the result is summed up by the Lords as follows :—

'They fand the bonds in question sufficiently astricted, the facts following being proved, viz. that John Dallas borrowed £100 sterling at the time when Mr. William Dallas, his brother, gave bond to him for the like sum, and that he granted bonds to Aneas M'Leod of Cadboll, and to Alexander Dallas, the tenant, for sums equivalent to those for which his son, by virtue of assignations from Cadboll and the tenant to his father, pursues the heirs of Mr. William Dallas, and continued the cause to the 3rd January then next, that the complainer, the relict of Mr. William, might in that time inform herself and confess or deny the said facts. But in respect of the illegal intromission had by John Dallas with his brother's writs, found the complaint was just, and that his son ought to pay the expenses of the complaint, and ordained a particular account of the said expenses to be given in by Henrietta Cockburn. Then going over what had been done

and asking to be allowed to bring some further evidence about the bonds and debts, it proceeds at considerable length, in the course of which occur such remarks of interest as these :— “ It is certain Mr. William was an exact enough man in his own business,” and “ Hugh Dallas, Mr. William’s father, was a writer of good account and was for many years Clerk to the Register of Sasines at Chanery. It was often said by Mr. William, and believed by everybody in the neighbourhood, that the papers belonging to private gentlemen which were lodged in Hugh Dallas’s keeping, and afterwards in Mr. William’s, and detained by them for payment of accounts relating to them, would bring Mr. William four or five thousand merks by the time that the several proprietors might call for their writs, and in that condition the papers were left by Mr. William on his decease. But John Dallas having for several months had the pillaging of them, it now (when inventories are made up of what remains of them) appears there are not writings left which will yield £10 if paid for at the utmost extent, which is a conclusive proof that John had carried his embazlement very high, and that he had been abundantly ingenious in his pillaging.” The petitioner since last calling had recovered a proof. “ The Lords might remember that the last article which the defenders charge is for relieving of the cautionery of 3000 merks in which John was engaged for Mr. William in a suspension at Mr. William’s instance against the children of his brother Robert. The suspension is produced and the libelled reason is that by a destination under his brother Robert’s hand Mr. William is to succeed his brother Robert’s children in that sum failing these children by decease. The petitioner could prove by the writer and witnesses that such a destination was truly executed by Robert in favors of Mr. William, as is mentioned in that suspension wherein John was cautioner. By this destination John, who was heir of line to the children of Robert, was cut off from his succession, which he had taken

care to prevent by suppressing that paper, which certainly once existed, for amongst Mr. William's writs as inventoried no such papers appeared. Thus had John, in the most criminal manner, in defrauding of his deceased brother's fatherless children, taken the succession to himself, and though Robert's issue had not yet failed so as Mr. William's children could feel any other immediate prejudice than in not being able to support their reason of suppression, yet the practice in itself was equally as criminal as if Robert's issue had failed, and founds the same illegal presumption against all the rights claimed under by John." . . . "It remained only now that the petitioner should put their Lordships in mind that she had a conclusion of declarator depending, separate from that which had hitherto been insisted in. Mr. William was tutor to Cantra, a minor, and had the vouchers of his accounts lying by him in good order. John Dallas perused these vouchers and framed an accmpt of Charge and Discharge upon them whilst yet he had entered upon no project with Cantra prejudicial to the defender's children. This account is produced in the process, written by John Dallas's son's hand. John Dallas afterwards entered into a correspondence with Cantra and delivered him up some writs from amongst Mr. William's papers, particularly a renunciation of a part of Cantray's mother's liferent, which had occasioned a process against her, and which was argued upon when the case was first heard. The conclusion of the declarator in relation to this particular is that John and his representatives might be found liable to settle and maintain the tutory accounts with Cantra in the terms of the scheme of account of Charge and Discharge which on the first perusal of Mr. William's papers he made out, and that they might be found liable to produce the vouchers in that order. The compassion which attends the petitioner's miserable case would, it was hoped, plead pardon for the length of this petition."

‘ On 14 February 1719 the Lords ordain answers to be lodged, in which answers Hugh Dallas says “ that the said Mr. William Dallas, who died in April 1713, did nominate Henrietta Cockburn, his spouse, and John Dallas, his brother, tutors to his children, and upon this nomination the said Henrietta prevailed with John, upon the decease of her husband, to come from his own house in order to the inspecting the defunct’s writings and papers that she might come to the knowledge of her children’s affairs and they be managed to the greater advantage. In the meantime the keys of the chests and repositories where the papers were laid up, did remain in the custody of the relict, and at her desire the said Mr. John did sometimes search the cabinets, and perhaps at other times, in order to inform himself, without an express order to that purpose, which indeed was truly reasonable since he was named a conjunct tutor with her. But still he received the keys from Henrietta and returned them to her, and so with her knowledge and approbation inquired into the state of the pupils’ affairs, and thus matters stood near a twelvemonth till some unhappy difference arising between them that, upon pretence the said Mr. John had without her knowledge privately carried away some of the landrights out of the charter-chest, a notar was called and instruments taken against him. When matters were in this state Mr. John had good reason to suspect that some projects to his hurt and disadvantage were formed against him, and therefore thought it proper to apply to the Lords for a warrant to the Sheriff of Inverness to inventar all the papers and take the widow’s oath on what was in her custody lest if any of them were imbazled a clamor might be raised against him on no better ground than the accident of having these landrights, which could never signify a farthing to any mortal and was in itself altogether innocent.” Then he proceeds to narrate the pleas taken by Mrs. Dallas and the later proceedings in Court, and afterwards takes up the discussion about the bonds contained

in this last petition, in course of which occur such passages as “the pursuers have been allowed so much the use of their imagination in this process that it is the less to be wondered at that they mention 4000 or 5000 merks that might have been owing of accounts for which papers were hypothecate in the hands of Hugh Dallas, Clerk to the Register of Sasines at Channery and a public notar. In the first place, it is ridiculous to imagine that any notar in a public place to have accounts to the value of the fourth part of that sum owing him at any time in his life. But it is still more strange to imagine that accounts of that value should have lyen over for about twelve or fourteen years after his death, Mr. William Dallas, his son, having lived so long after his father. Such a sum would indeed be more than ordinary if due upon papers in his hands if a Writer to the Signet at Edinburgh, but to mention it with regard to a country nottar, if it had not been done to a very unwarrantable purpose of loading the memory of a deceased person and ruining his widow and orphans, would be an absolute jest.” Then with regard to the allegation that Mr. John in a most criminal manner abstracted a destination whereby Mr. William and his children were to succeed to a bond of 3000 merks granted by him to his brother Robert, failing his children, an extract of the bond referred to, and also the decreet of suspension, are produced, the inspection of which by the Lords will answer the charge. The Lords, after consideration, adhered to their former interlocutor, with some modification as to Cadboll’s bond.

‘The case being again called on 13th June 1719, the Lords “fand that the sums contained in the hunder-merk bond now produced must be impute in payment of the sums contained in Cadboll’s receipt in regard the said 100-merk bond is now produced, and modify the account of expenses given in by the pursuer to £15 stg., and fand the same behoved to be deducted out of the first and readiest of the sums pursued for

and decerned accordingly.”’ (*Reg. Deeds*, Mackenzie, vol. cxliii.)

This document, which throws a lurid light upon the amenities of Scottish family life in the early eighteenth century, tells practically all that is to be known of William Dallas, the youthful heir. The Cantray charter of 26th April 1743 proves that subsequently to the decret Hugh Dallas of Bannans appraised from him the lands of Budgate and Galcantray, the latter passing later to James Dallas of Cantray, and he may have been living as late as 1724. It may, however, be assumed that he was dead in or about 1725, when the commissioners of John Campbell of Cawdor instructed Archibald Campbell, W.S., to receive from the representatives of Hugh Dallas, Commissary Clerk of Ross, and Mr. William Dallas, W.S., any writs in their hands belonging to Cawdor. At the same time they direct him to meet with Hugh Dallas of Bannans and the relict and heirs of Mr. William Dallas, ‘wadsetter of Budgate,’ and procure from them a discharge and renunciation to Calder of their wadset of 10,000 merks, and to take up the whole writs relative thereto, in order that a new wadset may be granted to Sir Archibald Campbell of Clunes, he having consigned the 10,000 merks in May 1724, which is now, by warrant of the Lords, ordered to be paid to their trustee, John Davidson, until they settle matters among themselves, and to see the last discharge they have from Calder of their feu duty or superplus rent, and receive payment from them of all bygone feu duties preceding crop of 1723 inclusive.

Sir Archibald Campbell, having thus consigned the sum necessary for redeeming the wadset upon Meikle Budgate, recommends that the bygone feu duties of Meikle Budgate and Galcantray be recovered from Mr. William Dallas’s heirs before they be entered, which will be about forty years, except some small partial payments made to Sir Archibald ;

and in regard that there are several of Calder's writs in the hands of the relict of Mr. William Dallas, it is stated that she is willing to deliver up the same upon a warrant from the Lords of Session. (*Rose Papers.*)

Thus after a period of three centuries, and after numerous vicissitudes, was ended the connection of the Dallases with their ancient patrimonial lands of Budgate, which were from henceforth to be incorporated in the extensive domains of the Thaness of Cawdor.



## DALLAS OF ST. MARTINS

GEORGE DALLAS OF ST. MARTINS was apparently the youngest son of William Dallas of Budgate, and was born in 1634 or 1635. He first appears as the writer of and witness to a precept of sasine by William Ross of Sandweich to Captain Alexander Baine in the Ferritoun of Brahane in the lands of Ruves, Inverness-shire, dated at Catboll, 23rd September 1656, when he is styled servitor to Mr. George Bayne, Writer to the Signet. (*Part. Reg. Sas.*, Inverness, vii. fol. 276.) On 12th July of the same year he 'compeared in presence of the Commissioners for the Administration of Justice in Scotland, . . . [being a] writer in Edinburgh of the age of 19 years or thereby, with a petition and offering himself for trial in literature, qualifications, and good education for the office of Notary,' when he gave as his motto 'A good name is rather to be choysen then great riches.' When on 30th July 1661, at 'the age of 25 years or thereby,' he produced his presentation and was admitted a notary, he changed this motto for 'Lux venit ab alto.' His cautioner on admission was Mr. Thomas Mackenzie of Inverlaivell. (*Admis. Not.*, vi. and viii.) On 3rd July 1660 he married in Edinburgh Margaret Abercrombie, daughter of James Abercrombie of Pittencrieff, whose widow, Janet Daillin, was buried in the Greyfriars, Edinburgh, 9th January 1668. In the Record of Lawburrows, 9th December 1661, William Lauder, writer in Edinburgh, gives a bond for George Dallas, W.S., Margaret Abercrombie, his spouse, Janet Dowling, his mother-in-law, Patrick Graham, James Embrie, and Helen Ritchie, his servants, not to harm Jean Fortune, relict of F. Inglis, W.S., and Elizabeth

Peires, her servant, the witnesses being William Brown and Robert Williamson, servants to William Lauder. On 16th July 1661 he was admitted a member of the Society of Writers to His Majesty's Signet, of which he was fiscal from 1666 to 1671. In 1662 the Tain Magistrates move to employ him for all their 'concernments,' upon which he sends them certain legal instruments with the advice: 'If you use them . . . prudentlie, I doubt not but you may inhance and monopolize the wholl traide of the Cunttrie be your citie maltmen, mechannick trade and all . . . I will give you that advyse that has proven usefull to otheris and this day makes your burdens formerlie ponderous now leviuous.' (Macgill, *Old Ross. and Scotl.*, 379.) His reputation as a judicious and able adviser was indeed spreading, for on 29th October 1664, the Town Council of Cullen, considering the prejudice the burgh has incurred through not having a faithful and active man about the College of Justice to fit their yearly 'æques' and for other legal business, and having experience of the activity, diligence, and faithfulness of George Dallas, W.S., they as magistrates bind themselves and successors to pay to him ten merks Scots yearly for three years, and until these presents be discharged by a missive letter, and this only to include his fitting of the yearly 'æque,' and giving advice in causes in which he is to be employed in his own sphere and function. As this deed was registered by William Leslie of Birdsbank and John Ogilvie, bailies of Cullen, on 8th April 1680, it may be assumed that its provisions extended at least to that date. (*Reg. Deeds, Dalrymple*, vol. li.)

In the following year he first acquired property in the Black Isle of Cromarty. On 23rd May 1665 he had personal sasine on a contract and disposition by Sir John Urquhart of Cromarty dated 20th May last, disponsing to him and his heirs irredeemably the lands of St. Martins, including the croft called Croftnacarie, Easter Culbo, and Druncuddin. The contract was made with the consent of Mr. Alexander Urquhart

of Craighous, and was written by Hugh Dallas, Commissary Clerk of Ross, a witness being Mr. John Dallas, Dean of Ross. (*Reg. Sas.*, Inverness, ii. fol. 286.) This was followed by sasine given 25th May 1665 to James Dallas in Bellacherrie, as attorney for Margaret Abercromby, spouse to George Dallas, W.S., in the lands of St. Martins, out of which her annuity is to be paid on a charter by her husband dated at Cromarty, 24th May 1665, of an annual rent of eight bolls of victual (*Ibid.*, fol. 285); and on 20th July 1666 he had a Crown charter of these lands, including the croft on the east side of the lands of Drumeuddin called Croftnacarrie and all other crofts belonging thereto, with the mill and thirlage, all lying within the parish formerly called Cullicuddine, now Kirk-michael. (*Reg. Mag. Sig.*) There was another sasine to George Dallas, dated 16th May 1666, upon a charter by Sir John Urquhart of Cromarty, dated 12th May 1666, of the same lands with the teinds, to which the Dean of Ross and James Dallas of Kirkmichael were witnesses. (*Reg. Sas.*, Inverness, iii. fol. 70.) On 7th May 1666 he has sasine of the lands of Easter Balblair in terms of a bond and disposition by James Dallas of Balblair in his favour in security of the sum of 1000 merks, dated at Balblair, 31st March 1666 and witnessed by Hugh Dallas, Commissary Clerk of Ross (*Ibid.*, fol. 66); and on 7th August 1666 he has sasine on a charter of confirmation, dated at Milton, 26th July 1666, by Sir George Mackenzie of Tarbet, to him and his heirs, of the lands of Culcairne in the barony of Delnie, Ross-shire. (*Ibid.*, fol. 116.) On 19th November 1668 he had from his brother the Dean of Ross an assignation and disposition of his rights over Newtoun, Neilstoun, Craighous, Navitie, and other lands on payment of the sum due in respect of Sir John Urquhart's bond to the Dean and Marie Rose, his spouse (*Reg. Sas.*, Inverness, v. fol. 186), and on 3rd May 1667 he has sasine on a bond of corroboration, dated at Edinburgh, 1st April 1667, by Sir John Urquhart of Cromarty to him for £2490, 3s. 4d.,

in security of which he gives him sasine in the lands of Wodhead and Mickle and Little Breys, and in a feu duty of twelve bolls payable to him as superior by George Dallas, from the wester half of St. Martins and teinds of both halves and lands of Easter Culbo and Druncuddin. Hugh Dallas, Commissary Clerk of Ross, is a witness of the bond, and James Dallas of Balblair of the sasine. (*Reg. Sas.*, Inverness, iii. fol. 208.) Another sasine of the same date is of the lands and crofts next adjacent to Dallas's march of St. Martins on the east in the parish of Kirkmichael (*Ibid.*, 209), and on 18th May following sasine is given to James Dallas of Balblair, as attorney of George Dallas, W.S., on a charter by Sir John Urquhart to him irredeemably of the lands of St. Martins, including Croftnacarie, Easter Culbo, and Druncuddin. (*Ibid.*, 218.) On 19th November 1668 his brother John Dallas assigned to him his rights over Newton, Neilston, Craighouse, and Navaties acquired by him from Sir John Urquhart in the previous year (*Reg. Deeds*, Dalrymple, vol. lvii., 2nd January 1682), and on 5th December 1668 he had sasine upon a disposition by Robert, William, and Hector Munro, lawful sons of the deceased Hugh Munro of Ardulzie, of the town and lands of Druncuddin, James Dallas of Balblair acting as attorney. (*Reg. Sas.*, Inverness, iii. fol. 355.) In all these transactions the Laird of St. Martins was evidently intent upon the extension and consolidation of his Cromarty property, and in pursuance of this object he obtained an instrument of resignation *ad remanentiam*, dated at Fortrose, 23rd September 1679, narrating that John Corse, writer in Edinburgh, as attorney for Hugh Dallas of Ferritoun, Christian Lauder, his spouse, and William Dallas, their eldest lawful son, and for Colin Dunbar of Risollis, in terms of two procuratories of resignation contained in (1) A disposition dated 8th and 29th September 1670, by the said Hugh Dallas, with consent of his spouse and son, to George Dallas of St. Martins and his heirs (under reversion) of the lands of Ferritoun, Auchmartine, and Inches,

in the parish of Kirkmichael; and (2) indenture between George Dallas and Colin Dunbar of Risollis, dated 3rd June 1678, determining the marches of these lands and those of Rissolis, now makes resignation of the said lands to George Dallas, the superior, so that the property might be his as well as the superiority, and this took place in the writing chamber of the said George Dallas, within the city of Edinburgh, on the north side of the High Street, a little below the Cross. (*Reg. Sas.*, Inverness, v. 21.)

On 19th September 1670 sasine is given by William Johnston, one of the bailies of Edinburgh, to George Dallas, W.S., and Margaret Abercromby, his spouse, in that great dwelling-house in the Citadel of Leith called the House of the Governor of Leith, with a piece of ground on the south thereof, upon a charter by the Provost, Bailies, and Council of Edinburgh, dated 19th August 1670. (*Part. Reg. Sas.*, Edin., xvii. fol. 330.) This property he afterwards disposed to his youngest son, Mr. John Dallas, in 1695.

In 1672 his property in St. Martins was so far established that on 9th July of that year sasine is given by James Dallas of Balblair, as bailie to William Dallas, writer in Fortrose, as attorney for George Dallas, W.S., in terms of a 'heritable deputatione' by Sir John Urquhart of Cromarty, heritable Sheriff of the sheriffdom of Cromarty, whereby he constitutes George Dallas and his heirs his heritable deputies in the office of Sheriff so far as concerns the lands of Easter St. Martins, mill, thirlage, and pertinents thereof, Keith's Crofts, Butts, Baddersane, Ferritoun, Auchmartine, and Inches, crofts, stell, fishings, ferry boat, ferry, harbours, etc., also the wester half of St. Martines called the Bishop's half and pertinents in the shire of Ross, the judicial powers being fully set forth. It is provided that if he sell the lands irredeemably this right shall become extinct. (*Reg. Sas.*, Inverness, iv. fol. 168.) On 3rd March 1674 sasine is given to Andrew Ros of Sandwick, as attorney for George Dallas, W.S., on a charter of apprising,

dated at Edinburgh 7th February 1674, by Sir John Urquhart of Cromarty as superior of the lands of Calrossie in the parish of Logie, Ross-shire. (*Ibid.*, fol. 261.)

Though on 26th May 1674 there is renunciation by George Dallas to James Dallas of Balblair of his bond, dated 31st March 1666, for 1000 merks secured over his lands of Balblair and Kirkmichael, James having now paid the sums due, wherefore George, with consent of 'Hugh Dallas, my brother,' discharges him thereof and renounces the lands of Balblair and Kirkmichael (*Ibid.*, fol. 270), and on 12th May 1675, they had been disposed to Hugh Dallas of Budgate, yet on 2nd June 1675 sasine is given to George Dallas of St. Martins on a charter of confirmation by John, Bishop of Ross, as superior, to him and his heirs-male bearing the name and arms of Dallas, of the lands of Easter Balblair commonly called Balblair and Kirkmichael, formerly possessed by the deceased Alexander Urquhart of Craighous, and then by Mr. William Anderson, preacher at Cromarty, and Mr. Hugh Anderson, his eldest son, as wadsetters. The charter is dated at Fortrose, 17th May 1675, and is signed by Mr. John Dallas as Dean of Ross, James Dallas of Balblair witnessing the sasine. (*Ibid.*, fol. 345.)

On 4th December 1673 George Dallas had two bonds from David Ros of Belnagowne for 3000 merks each, in security of which he promises to infeft him in or sell to him those lands, and sasine in terms of these bonds was given to St. Martins on 18th May and 29th July 1674; on 27th July 1677 there passed the Privy Seal 'Infeft. of App. to George Dollas writter to his Majesties signett of the lands and barony of Belnagowne and others apprised for 5949 merks,' the composition being £40; but needless to say George Dallas never entered into possession of Balnagown.

On 1st July 1677 George Dallas obtained a charter under the Great Seal of all the lands in Ross and Cromarty which he had acquired from Sir John Urquhart and others, but it

does little more than recapitulate the sasines and charters already cited and is far too long for reproduction. (*Act. Parl.*, lxvi. No. 62.)

Though at least during the years 1676-8 St. Martins had been in some way connected with the Privy Seal, and had signed the signatures passed the Seal during those years, it is not until 16th March 1680 that there is a deputation by John, Marquis of Athole, Lord Privy Seal, to George Dallas of St. Martins, W.S., to use the office of Depute Privy Seal for all the days of his lifetime, and to collect the fees therefor and be accountable to the said Marquis for the same. And hereby Alexander Crawford, the present Depute, is required to deliver up to the said George Dallas the Privy Seal and precepts and warrants thereof upon the 15th day of April next, on which day George Dallas is to enter the office. (*Reg. Deeds*, Dalrymple, vol. 1.)

He was first elected a Commissioner to sit in Parliament for the shire of Cromarty in 1665, and he was again returned in 1667, 1669-74, 1678, 1681-2, and 1685-6, and so light is thrown upon the conditions of parliamentary representation in Scotland by a disposition, dated 7th January 1680, by Jonathan Urquhart of Cromarty to George Dallas of St. Martins, narrating that the said George served in the late Convention of Estates and Sessions of Parliament as Commissioner for the shire of Cromarty, whereby the deceased Sir John Urquhart of Cromarty and himself became truly debtors to him for commission fees at £5 Scots per day during the session, and in coming and going, as well as money for going in with his Commission to the Lord Register, and other incident charges amounting in all to above £1800 Scots, and although the said George Dallas has an interest in the said shire, yet the deceased Sir John Urquhart of Cromarty bound himself to relieve him of that. Now George Dallas might proceed to quarter and poind for his commissariot fees, but he, at the disponent's desire, and to prevent casting his lands

waste and impoverishing the tenants by quartering and poinding, chooses rather to accept in friendship from him the right after specified, with the qualification aftermentioned, in lieu of and satisfaction therefor. Therefore the said Jonathan Urquhart of Cromarty disposes to the said George Dallas and his heirs all the right which he or his father has or had to the wester half of the wood commonly called the Forestrie of Brae or Braelangwell, feued out with the easter half thereof and the lands of Backs, by his said father to Alexander Urquhart of Newhall, and which lands the said Alexander Urquhart has disposed or is obliged to dispose to George Dallas, as also that part and portion of the feu duty with which the said Alexander Urquhart is burdened, also the advocacy of the parish churches of Cullicudden and Kirk-michael, under the reservation of the vicarage teinds and the teinds of the lands of Alexander Urquhart of Newhall and his brother, Mr. Thomas Urquhart, in the parish. (*Reg. Deeds*, Dalrymple.) Notwithstanding the plea of friendship in this disposition, there is, on 26th March 1680, an order to infest George Dallas of St. Martins, W.S., in all the rights of superiority and property which the deceased Sir John Urquhart of Cromarty and Jonathan Urquhart, now of Cromarty, his son, had in the Forestry of Brae or Braelangwell and others adjudged from them for a debt of £1800 on 24th February 1680 (*Gen. Reg. Adjud.*, vol. xxvi.); and this was followed by a Crown charter of these and other lands to George Dallas, dated 4th August 1680. (*Reg. Mag. Sig.*, lxvii. No. 168.) Affecting the lands of St. Martins there is also a renunciation and discharge by Patrick Smyth of Methven of a bond by Sir John Urquhart dated 16th September 1663, to Mr. James Ritchie of Prestoun for £24,000, whose son, Alexander Ritchie, on 19th February 1680, disposed the half of this sum (or £12,841, 1s. 10d.) to him, but now for the love and favour he has to George Dallas of St. Martins he renounces in his favour the annual rent effeiring to the said sum so far as it may affect



his lands of St. Martins, Ferritoun, the new Milne, Risolis, etc. (*Reg. Sas.*, Edin., xliii. fol. 310.)

On 21st July 1681 he had disposition of the lands of Balblair from George Dallas of Kirkmichael, eldest son and heir of James Dallas of Balblair; and later there is an instrument of resignation narrating that on 5th September 1682, Alexander Mackera, writer in Fortrose, as procurator of Alexander Urquhart of Newhall, passed to the presence of George Dallas of St. Martins as superior, in terms of disposition, dated 10th December 1680, by Urquhart, selling to George Dallas the wester half of the Wood of Brey, with the croft beneath Badassie, etc., and this the procurator now resigns in his hands and in his favour, within Hugh Dallas, Commissary Clerk of Ross, his close and opposite to his dwelling-house in Fortrose. (*Reg. Sas.*, Inverness, v. fol. 183.)

Another sasine, dated 9th and 10th October 1684, of George Dallas of St. Martins is in terms of a disposition by John Grant of Dunskeath, with consent of Janet Graham, his spouse, Hugh Rose of Kilravock, and William Grant of Ardoch, his brother-german, selling to George Dallas part of the lands of Davidston and part of the lands of Newtown of Cromarty, Neilston, and Navitie; also the lands of Dunskeath, with the pendicle of Culbin, in the parish of Nigg, dated 17th October 1683 and 20th June 1684, the witnesses at Fortrose on the earlier date being Hugh Dallas, Commissary Clerk of Ross, Mr. Charles Dallas, son to the Dean of Ross, and others, Mr. William Dallas acting as notary (*Reg. Sas.*, Inverness, v. fol. 283); and on 8th September 1686, is sasine of George Dallas (per Thomas Hood, husbandman in Davidston, as attorney) on a charter of resignation and regrant by George, Viscount Tarbat, to him of the same lands. The charter is written by Mr. George Dallas, son to St. Martins, and is signed at Edinburgh, 12th August 1686, the witnesses being Mr. William Dallas and Hugh Dallas, writers in Edinburgh, and Mr. George Dallas, St. Martins' son. The sasine is written

by John Dallas, writer in Fortrose. (*Reg. Sas.*, Inverness, v. fol. 242.)

On 16th February 1687, he was admitted a burgess and Guild-brother of the city of Edinburgh, the admission being recorded as follows :—

‘George Dallas of St. Martins, Writer to his Majesty’s Signet, compearand, is made Burgess and Gild broyr of this Burgh and that upon the accompt of the good service done be him for the good toun as Arbitrator for them in settling of the differences betwixt them and Sir William Davidson’s children anent that debt due by the good toun to them greatly to the toun’s advantage conform to ane Act of Counceil of the date the 13th day of Octr last lykeas the dean of Gild and his counseil conforme to the said act Declares this his said admission shall be as effectual and sufficient to the said George Dallas and his children as if he had payed the whole dues in use to be paid by those that buyes the freedom.’

On 5th October 1688 he had sasine of two and a half oxgates of the lands of Caitwall in terms of a disposition of Alexander Monro of Caituall (*Reg. Sas.*, Inverness, v. fol. 472) ; but though he transferred these lands to his sister Margaret in April 1693, there is a discharge and renunciation dated at Milton of Ketuall 7th October 1693 by John Munro of Jeanrivan, narrating that he held a bond of Alexander Munro, portioner of Kettual, dated 8th July 1687, for 800 merks secured over those lands, and George Dallas having paid him an equivalent sum, he renounces in his favour. The deed is written by Mr. John Dallas, servitor to Mr. William Dallas, W.S. (*Reg. Sas.*, Inverness, v. fol. 626.)

About this time, either in 1694 or 1696, he sold the lands in Cromarty in order to purchase a property nearer Edinburgh, but this point will be reverted to later. It was doubtless in connection with this sale that on 18th August 1697 there is a deed of discharge and renunciation by George, Viscount of Tarbat, in favour of George Dallas of St. Martins

and Mr. James Dallas younger thereof of all apprisings and adjudications led by him against the deceased Sir John Urquhart of Cromarty and Jonathan Urquhart, his son, in so far as these affect their lands of Easter and Wester St. Martines, mill and mill lands thereof, Ferritoun, Auchmartin, and Inches, the new miln besouth Risolis, crofts besouth the water of Gelney, Keithscrofts, Croftnisne and others beeast and bewest the same, Knockstappock, Badasne, superiority and feu duty of Risolis, New Riven, property and superiority of Easter Balblair and Kirkmichael, Ferry and pertinents thereof, easter half of the Wood of Brae and lands called Glen Urquhart. The deed is written by Mr. John Dallas, writer in Edinburgh, one of the witnesses being Mr. James Mackenzie, 'our son.' (*Gen. Reg. Sas.*, lxxii. fol. 339.) There was previously registered in Edinburgh, 24th February 1697, a ratification by John Urquhart of Craighouse narrating that as George Dallas of St. Martins, 'my granduncle,' had acquired the lands of Easter Balblair from the deceased Sir John Urquhart, who feued out the same to the deceased James Dallas, brother-german of George, who afterwards, acquiring the right of property thereto from George Dallas, eldest lawful son of the said James, was infeft therein; and he was also publicly infeft in these lands on a charter from the Bishop of Ross as superior, upon these and other rights derived by him from Hugh Dallas of Budzet and Mr. John Bain of Delny; and now for the love the said John Urquhart of Craighouse has for his said granduncle, he approves his rights to Easter Balblair, and renounces in his favour. (*Ibid.*, fol. 17.) Thus the three brothers Hugh, James, and George throughout their working lives were engaged in the acquisition and consolidation of an insignificant estate which was not even destined to pass intact to the heir of either of them, for though the details of the sale of St. Martins have not come to light, there is no question that the Ferritoun lands were sold by George Dallas to Sir Adam Gordon for £1150

sterling, apparently in 1696, and the lands of North Newton in Stirlingshire purchased in their stead.

Almost from his first admission to the Society of Writers to the Signet George Dallas appears to have been an active member of that body. On 6th June 1664 he was named one of the procurators for the poor for this year, and on 22nd January 1666 he was appointed one of the assistants to the commissioners in subscribing letters, summonses, etc., for absent brethren, his appointment as procurator-fiscal taking place on the same day. In virtue of this appointment he is frequently found making complaints with regard to irregularities on the part of 'brothers' of the Society, often resulting in fines and suspensions. On 3rd February 1668 he tenders his resignation of the office of fiscal, and is desired by the commissioners to give in the names 'of some brether whom he conceaved meet to be listed,' of whom one would be chosen to the vacant office, but his final resignation did not take place until 4th January 1671, immediately after which, on 13th February, he is himself complained against for irregularities regarding his servants and apprentices. It would appear, indeed, that he was not entirely above suspicion in his practice, for again on 21st December 1676 he and two other Writers to the Signet are ordained to be cited for 'exercising of the office of agents, contrare the acts of the calling'; but on 13th July 1681 he is one of those appointed by the Earl of Moray, sole Secretary of State for Scotland, to be commissioners for regulating the 'calling' of the Writers to the Signet, and on 3rd November 1682 he is one of those appointed a committee to revise the acts of the Society, and to consider what new acts may be for the good thereof, so that it is clear he bore a blameless reputation amongst his brethren. In the following year (29th January) the keeper of the Signet is recommended to call the former committee anent the old accounts, to meet with St. Martines, and agree on a draught of the discharge, that the matter may be closed;

and on 1st February 1692 the commissioners and writers recommend the state of the box to be considered by him and four other members of the Society. On 1st March 1697 he presents his style book to the keepers and commissioners for the use of the faculty, who tender him thanks, and give a dollar to the servant who carried the book. This 'seems to have been the first book owned by the Writers to the Signet as a body,' and was the nucleus of the great library now recognised as one of the first in North Britain. As it was also the earliest book to bear upon its title-page the name of Dallas, some account of it may appropriately be given. The title is as follows :—

'System of Stiles, As now Practicable within the Kingdom of Scotland : And Reduced to a clear Method, not heretofore. Consisting of VI. Parts. I. Real and Personal Diligence. II. What passeth the Privy-Seal only. III. Summonds passing the Signet. IV. What Letters pass the Signet, and such Precepts in Latine as upon Signatures pass also the Signet and whole Seals, except the Quarter-seal ; and what passes the Great-seal *per saltum*. V. All Securities, Contracts of Marriage, Tailzies, Mortifications, Liferent-Rights, Provisions of Younger-Children, Excambions, and the like. VI. Services, Tutories, Summonds of Error, and others. Composed by George Dallas of *Saint-Martins*, Begun in the Year 1666, and had its Period *Anno* 1688. Edinburgh, Printed by the Heirs and Successors of *Andrew Anderson*, Printer to the King's most Excellent Majesty ; And are to be Sold at their Shop, on the North-side of the Street, over against the Cross, *Anno DOM.* 1697. Price, Bound and Guilded on the Back, Twenty Pound *Scots*.'

This work, long forgotten by the legal practitioner in the Scottish Courts, can never wholly fade from remembrance so long as the delightful romances of the author of 'Waverley' continue to form a part of the literary pabulum of the English-speaking race. When Waverley announced to Mr. Duncan

Macwheeble his ambition to espouse the fair heiress of Bradwardine, the worthy ex-Bailie and Commissary is recorded to have mended his pen, 'marked half a dozen sheets of paper with an ample marginal fold, whipped down Dallas of St. Martin's Styles from a shelf, where that venerable work roosted with Stair's Institutions, Dirleton's Doubts, Balfour's Practiques, and a parcel of old account books—opened the volume at the article "Contract of Marriage," and prepared to make what he called a "sma' minute, to prevent parties frae resiling." ' Though, however, the *Stiles* was 'venerable' when Scott wrote in 1805, it was evidently still in vogue in the days of Waverley, and even, as will be presently seen, reached a second edition some thirty years after the '45.

It was published by the author in a small folio volume of 904 pages, exclusive of the four preliminary pages, and twelve pages of closely-printed index and errata. The dedication of the first part is to John Murray, Earl of Tullibarden, Lord-Secretary of State for the Kingdom of Scotland (afterwards first Marquess of Athole), and declares that 'some nine years ago, (and before I resolved to expose my Works to the Press), I dedicat this First Part to your Lordship,' referring, 'and so much more to my Honour,' to the 'relation' he has to the noble family of Athole. He commits his works to the Press, 'being perswaded by some Persons of the greatest Quality in the Kingdom, and others in Publick Stations (as Lords of Session, eminent Lawyers, and others),' to that course. In an 'Address to the Reader' he states that the book was originally compiled for the use of his children, without thought of publication, and as a warning to his readers says, 'let no man so far Deceive himself, as to Conclude, that Speculative Knowledge, or Theory, (without the Practical,) will ever make a Compleat Pen-man, but by the Method taken, a man may by Education Attain to more knowledge in Two, than formerly in Seven Years' (pp. 1-88). The second part is dedicated to the same person, now Marquess

of Athole, reference being made to the fact that the author had the honour to serve his lordship as Depute-Keeper of the Privy Seal: the remainder of this dedication is devoted to a eulogium of the family of Murray (pp. 89-184). The third part is dedicated to the Lord High Chancellor of Scotland, the Lord President of the Session, and the remanent Lords, Ordinary and Extraordinary Senators of the College of Justice (pp. 185-391); and the fourth part to the Commissioners of, and Writers to His Majesties Signet. In this dedication he deprecates the suggestion that the work may be detrimental to the interests of his brethren, declaring that he has 'no other Intention than the Good of all,' in making it public. This dedication is dated 'From my Writing-Office, 1688' (pp. 393-691). The dedication of the fifth part is to the Dean of Faculty, and remanent Brethren of that Honourable and Learned Society of Lawers (pp. 693-862); and of the sixth and final part to George Mackenzie, Viscount of Tarbat (afterwards first Earl of Cromarty), to whom he writes—'nor could I as your Relation, and one loaded with your Favours, omit your Lordship in my Works,' and signs himself 'Your Lordships Affectionat Cousin,' though the relationship of George Dallas either to the Murrays of Tullibardine or the Mackenzies of Tarbat has not been made out.

In 1774 a new edition of the *Stiles* was published in two small quarto volumes (containing together 605 *plus* 11 pages), but though the editor, in consequence of the change in the Church government introduced in 1688, 'first thought of new-modelling the system,' he finally 'came to the resolution of publishing Mr. Dallas's collection entire, with only some small improvements, and the correction of some typographical errors,' so that the text of this edition does not, in fact, differ in any respect from the original, the 'small improvements' being so infinitesimal that they fail to reveal themselves. It was issued, and doubtless 'edited,' by the publisher, John Wood, who, in an advertisement dated at Edinburgh, 16th May

1774, states that, in order to make the collection of more universal use, he intends, as a supplement, to add a third volume, consisting of New Stiles, and he invites contributions to the new volume; but no such work seems to have been published by the enterprising Mr. Wood.

George Dallas died in 1701 and was buried in Greyfriars Churchyard on 13th April 1701. His wife predeceased him and was buried there on 16th October 1697.

They had the following children :—

1. James Dallas of St. Martins, his eldest son, of whom hereafter.
  2. George, *bp.* 10th April 1664, *d.* in infancy.
  3. George Dallas of Parkley, of whom hereafter, *bp.* 4th December 1667.
  4. John, writer in Edinburgh, who was a subscriber to the 'Darien Scheme,' of whom we have not been able to obtain any further information. He probably died unmarried. He had infeftment of the lands of Balblair, etc., on 6th August 1695, which he resigned on 17th June 1696.
1. Margaret, *bp.* 16th November 1662, *m.* (1) 29th March 1687, George Morison of Pitfourie, (2) R. Murray of Pulrossie before 1696.
  - 2 Janet, *bp.* 9th January 1666.

JAMES DALLAS OF ST. MARTINS, the eldest son, was baptized in Edinburgh, 16th June 1661, two of the witnesses being John Grant of Moyniss and Alexander Clunnes of Dunskeath. Of his education there is no record, but he probably graduated at the University of Edinburgh, as from the time of his marriage in 1683 he is invariably styled 'Mr. James Dallas,' indicating that he was a Master of Arts. If he followed any profession no indication of its nature is to be gathered from the documents which have come to light. That he was neither Notary nor Writer to the Signet is, however, manifest



from the Registers of those bodies. On 7th November 1678 he had sasine for himself and as procurator for Judeth Grege, spouse to Mr. John Methven of Craigtoun, and . . . Methven, his sister, of the lands of Craigtoun in the shire of Fife, to be held by the Methvens in liferent and himself in fee, one of the witnesses being Mr. John Dallas, writer in Edinburgh : in this he is designated 'James Dallas eldest lawful son to George Dallas of St. Martins.' (*Gen. Reg. Sas.*, Edin., xli. fol. 378.)

He was married in Edinburgh, 19th February 1683, to Elizabeth, the eldest daughter of Walter Riddell of Minto by his second marriage with Isobel Riddell, the marriage contract being dated 21st February 1683. By this contract his father obliged himself to settle upon his son and his heirs male his lands in Cromarty, but intending to sell that estate and purchase another nearer Edinburgh, he undertakes to settle such new estate to the same uses, and James covenants to resign such estate in favour of himself and the heirs male of the marriage ; while Walter Riddell, the bride's father, who was a party to the contract, agrees to pay to James Dallas 18,000 merks to be similarly settled. Accordingly, on 25th April 1684 sasine is given to Mr. James Dallas, son and apparent heir to George Dallas of St. Martins, and as attorney for Elizabeth Riddell, now his spouse, and eldest lawful daughter of the second marriage of Walter Riddell of Minto, in terms of their contract of marriage dated at Edinburgh 24th February 1683, with consent of his father and mother, Margaret Abercrombie, and of her father, Walter Riddell, in the superiority and feu-duties of the lands of Easter Balblair, vulgarly called Balblair and Kirkmichael, with the ferry, ferrytown, etc. William Dallas, writer in Edinburgh, witnesses the contract, and Mr. Charles Dallas, writer in Edinburgh, is a witness to the sasine, Hugh Dallas, Clerk of the Diocese of Moray, acting as notary. (*Gen. Reg. Sas.*, l. fol. 243.) On the same day they had sasine on a charter

under the Great Seal, in the lands of Ferritoun, Auchmertin, and Insche, and the superiority of Risolis, the same persons acting respectively as witness and notary. (*Ibid.*, 246.) The Great Seal charter, which is dated 22nd February 1684, mentions 'the now deceased Walter Riddell of Minto, hir father.' (*Reg. Mag. Sig.*, lxix. No. 161.)

On 1st August 1690 there is a Great Seal charter to Mr. James Dallas of St. Martins, younger, and Mr. George Dallas, second lawful son of George Dallas of St. Martins, his brother-german, of the lands of Mount Lothian in the parish of Penicuik which were resigned by Mr. William Kintore, advocate, under reversion for 10,000 merks (*Reg. Mag. Sig.*, lxxii. No. 86); and of these lands sasine was given to the two brothers, 9th August 1690, Mr. William Dallas, Clerk of the Diocese of Ross, acting as notary (*Part. Reg. Sas.*, Edin., lxxvii. fol. 30.) What became of these lands does not appear, but they were probably redeemed by Kintore. Another Crown charter, dated 21st February 1690, gives much useful information, though the lands mentioned evidently did not remain in possession of the Dallases. It is a grant to James Dallas of St. Martins, younger, and Mr. George Dallas, second lawful son of George Dallas of St. Martins, of the lands and barony of Cockburn, Reulismains, Samsonswalls, Crumstane, and 'subjects' in the town of Duns which belonged to Sir James Cockburn of that Ilk and William Cockburn, advocate, his eldest son, and were resigned by them for this grant under reversion on payment of 5000 merks and certain expenses: these debts were due to James Dallas by Sir Archibald Cockburn, senior, of Langton and Archibald Cockburn of that Ilk, younger, advocate, as principals, and by the other Cockburns as cautioners, in a bond dated 28th June 1687, and also another sum of 5000 merks due from the same persons to Agnes Riddell, youngest (*written* eldest) lawful daughter of the deceased Walter Riddell of Minto, and to Isabella Riddell, his mother and curatrix, for her use, by

bond dated 2nd June 1687, to which George Dallas has right by his contract of marriage with the said Agnes Riddell, now his spouse. The date of the contract is left blank. (*Reg. Mag. Sig.*, lxxii. No. 10.) Sasine was given on this charter, 24th and 26th February 1690, Mr. John Dallas, writer in Edinburgh, being one of those present. (*Gen. Reg. Sas.*, lx. fol. 77.)

On 13th December 1690 sasine is given to Mr. James Dallas, younger, of St. Martins on a charter by George, Viscount of Tarbat, in part of the lands of Davidstoun sometime occupied by Thomas Thomson, and so much of the said lands occupied by John Brander as will pay three bolls and two pecks of victual yearly. George Dallas of St. Martins had an interest under this charter which he made over to Mr. George Dallas, his second son, in terms of his marriage contract with Agnes Riddell, and he disposed it to his brother James. It is mentioned that resignation was made in the hands of Mr. William Dallas, Notary Public, and there were present at the giving of the sasine the said Mr. George Dallas, Mr. Robert Dallas, schoolmaster at Fortrose, and Marmaduke Dallas, dyer in Nairn. (*Gen. Reg. Sas.*, lxii. fol. 65.)

The lands of Balblair, which were resigned into the hands of the elder St. Martins in 1681 by his nephew George, were now the property of his eldest son, and on 17th September 1690 there is a Crown charter to Mr. James Dallas and Elizabeth Riddell, his spouse, of the superiority of Easter Balblair, and also a piece of moorland of the barony of Cromartie mentioned and bounded in a Great Seal charter to George Dallas of St. Martins dated 4th August 1680, which was sometime possessed by him and afterwards by Mr. George Dallas, his son, and now by Mr. James; also the wester half of the Wood or Forest of Brae or Braelangwell (also possessed as above), acquired by Alexander Urquhart of Newhall from the deceased Sir John Urquhart of Cromarty and disposed by him to George Dallas; which superiority belonged to the

said George Dallas ; and was resigned by him, together with all liferent right which his spouse, Margaret Abercrombie, had therein ; also by Mr. James (*written* George) Dallas with his said father and mother's consent contained in a contract of marriage with the said Elizabeth Riddell (therein called eldest lawful daughter of the second marriage of Walter Riddell of Minto by Elizabeth Riddell, then his spouse), dated at Edinburgh 24th February 1683 : and reference is also made to the contract of marriage of Mr. George Dallas and Agnes Riddell, youngest daughter of the said Walter and Isabella [*sic*] Riddell, dated at Edinburgh 20th March 1688. Mr. William Dallas, W.S., Notary Public, is mentioned as the notary acting at the resignation. (*Reg. Mag. Sig.*, lxxii. No. 89.) On this charter sasine was given to Mr. James Dallas on 13th and 16th December 1690, the witnesses being Mr. Robert Dallas, schoolmaster at Fortrose, and Marmaduke Dallas, dyer in Nairn. (*Gen. Reg. Sas.*, lxii. fol. 65.)

According to the marriage contract of James Dallas and Elizabeth Riddell it was provided that if the lands of St. Martins were disposed of the money should be expended upon the purchase of lands nearer Edinburgh, and that these lands instead of St. Martins should be entailed upon the heir. As has been seen, St. Martins was not sold until 1696, but in the pleadings of William Dallas in a lawsuit to be more particularly referred to later, it is stated that James Dallas ' purchased the Lands of North-Newton, lying in the County of Stirling, of the yearly value of 81*l.* or thereabouts,' on 8th June 1694, and this is confirmed by a Crown charter dated 1st August 1694 to Mr. James Dallas, eldest lawful son of George Dallas of St. Martins, and Elizabeth Riddell, his spouse, for her liferent use, and to his heirs male, etc., of the three and a half bovates in Newton of Bothkennar in Stirlingshire lately pertaining to Hugh Cunningham, merchant and one of the bailies of Edinburgh, and also a rig of ground formerly belonging to William Bruce of Newton, to be held for payment of

£5, 5s. 7d. Scots and other payments in account. (*Reg. Mag. Sig.*, lxxiii. No. 112.) Sasine on this Charter was given to Mr. James Dallas on 20th August 1694, Mr. William Dallas, Clerk of Ross, acting as notary, George Dallas of St. Martins, and Mr. George Dallas of Parkley, his second son, being witnesses. (*Reg. Sas.*, Stirling, viii. fol. 305.)

In 1702 Elizabeth Riddell, his wife, died, leaving three sons and five daughters, and in the following year he married Barbara Cockburn, daughter of William Cockburn, merchant in Edinburgh, and his spouse, Jean Clerk (*Guild Register*, Edin., 14th June 1671), and sister of Henrietta Cockburn, wife of William Dallas, W.S., of Budgate. By his marriage articles dated 30th November 1703, he settled upon her and her issue a tenement in Edinburgh and a sum of 7500 merks (£416, 13s. 4d.), including her portion of £200, to the intent that she should have a yearly income of 1000 merks (£55, 11s. 1d.), the rent of the house to go in part payment thereof. (*Dallas v. Dallas.*)

On 23rd December 1710 there is sasine of Mr. James Dallas, eldest lawful son of the deceased George Dallas of St. Martins, on a bond of corroboration by the deceased John Brown of Seabegs to him and any child of his to be designated by him for the sum of 6000 merks. The bond is dated at Edinburgh 15th November 1710, the witnesses being Mr. George Dallas of Parkley and Mr. William Dallas, W.S. (*Reg. Sas.*, Stirling, xii. fol. 495.) His interest in the lands of Seabegs continued, and on 12th January 1719 he had sasine in certain annual rents secured over them (*Ibid.*, . . . fol. 11), but the ultimate destination of his rights has not been disclosed.

At a meeting of the landowners of the parish of Bothkennar held on 30th October 1723, James Dallas of St. Martins signs as a heritor; and a list of those possessing 'lair's' in the churchyard submitted to the meeting records that 'St. Martins hath two stones upon the north side of the

Church, with some lairs upon the south side.' (*Par. Reg.*, Bothk.)

In 1733 the younger children of his first marriage had all been 'settled and provided for,' and on 13th November of that year, apparently somewhat in derogation to his first marriage settlement, he executed a strict entail of his Stirlingshire lands, of a great family jewel, consisting of sixty diamond sparks, which he valued at £500, and of a Toad Stone ring of great value, declaring that in case his son George should succeed him, he should, on account of his incapacity, be debarred from receiving the rents without the consent of two other heirs of entail living next to him at the time, and reserving to himself a power of altering the entail and charging the estate. A few years later, on 29th May 1739, he executed two bonds of provision, giving by one his house in Edinburgh, subject to his wife's life-estate, among four of his daughters and William, his third son by that wife; and by the other, dividing the £416, 13s. 4d., subject also to his wife's life-interest therein, among Robert, Stewart, William, Agnes, and Clementina, five of his children by that wife, and obliging his heirs to advance the portions, or part of the portions, of such of his children of the second marriage as should be put out to trades. He also directed certain notes of his sons, Robert, Stewart, and William, amounting to £87, 12s. 6d., he had advanced to them, to be delivered up to them under certain specified conditions. His wife, it is said, had now obtained an entire ascendancy over him, and prevailed on him, when superannuated and near his end, to grant a bond of provision, dated 19th July 1740, to their third son William, for £500 sterling, over and above his share of the provision contained in the earlier deeds; and also another bond dated 30th July 1740, for £1000 Scots on similar conditions. On 4th August following he executed a deed conveying to his son William his great family jewel, which he valued at £500 sterling, consisting of upwards of sixty diamonds, as a mark of his

affection ; also his Toad Stone ring (both which he had formerly entailed) ; together with his whole stock and crop of corns, labouring utensils, cattle, horses, and other particulars ; assigned to him all the services and quit-rents prestable by his tenants ; and appointing him and his heirs to receive the whole rents as factors, and to apply them in payment, first, of his debts, secondly, to pay an annuity of £15 to George, his eldest son, and after his death an annuity of £7, 10s. to George's son James, declaring such annuities to be in full of all they could demand in name of portion or otherwise ; and lastly for payment of an annuity of £6 sterling to Anne and Jane, his daughters of the first marriage. Finally, on 10th September 1740, he made a lease for forty years to his son William of his Domain-lands and Mansion House, with the grounds, furniture, etc., at a yearly rent of £25.

James Dallas of St. Martins died on 10th November 1740, when he should apparently have been succeeded in the estate of North Newton by his eldest son George, though that property, in fact, remained in the hands of William, his third son by the second marriage, in accordance with the terms of the various deeds above cited. He is stated (*Dallas v. Dallas*) to have had eight children by his first marriage and thirteen by his second, but these were apparently the children who survived him. By his first wife, Elizabeth Riddell, he had issue :—

1. George, his lawful heir.

2. James, *b.* 14th, *bp.* 25th August 1693 at the City Parish Church, Edinburgh, the witnesses being George Dallas of St. Martins, Mr. George Dallas of Parklie, Mr. William Dallas of Buidzett, and Mr. Charles Dallas, Burgess of Edinburgh. He is mentioned as the recipient of a letter from John Lockhart (a connection of Alexander Dallas, afterwards of North Newton), dated 19th July 1746, when he was resident in London, and Alexander Dallas also refers

to him as a friend in 'his younger days,' who in 'his last moments' exacted a promise from him that he would see justice done to his nephew James Dallas of St. Martins. He appears to have died unmarried, or at least without issue.

3. Walter, mentioned as one of the three sons of his father's first marriage. He purchased the rights of his eldest brother George in the Stirlingshire estates 'for a very trifling consideration,' 21st October 1720 (Registered 24th October 1720, Mackenzie, 128), and he referred to this purchase in a letter dated 17th December 1750, when he says the transaction took place 'twenty years before.' He is described as a merchant in Edinburgh, and thereafter became a merchant at Anapolis Royall in Baltimore county, Maryland, *m.*, and had issue. He was dead before 25th August 1772, when his sister Catherine bequeathed a sum of 1000 merks to his son Nathan, of whom nothing further is known.
1. Isobel, *bp.* 18th July 1684 at the City Church, Edinburgh, the witnesses being Mr. William Lauder, 'indweller,' Mr. James Henderson, W.S., Robert Laurie of Maxwelltown, Thomas Rutherfurd, brother german to the Laird of Edgertoun, and George Dallas of St. Martins. She *m.* William Dallas of Cantray, the contract being dated 22nd September 1712.
2. Elizabeth, *bp.* 21st August 1685 at the City Church, Edinburgh; *m.* William Brown, merchant, Edinburgh, 15th December 1712. (*Edinb. Mar. Reg.*)
3. Jane, *bp.* 4th February 1687 at the City Church, Edinburgh. She is described as a residenter in Dunse in the testament of her sister Robina, in 1737, and on 4th August 1740 she was, by her father, appointed to an annuity of £6. She died in September 1745, her inventor and that of her sister Anne being given



up by their sister Catherine, 17th January 1749, with eik of 28th November 1749, recording a bond for £2164, 3s. 3d. Scots by Sir Alexander Cockburn of Langton in favour of Margaret Yeaman, dated 9th May 1730.

4. Agnes, *b.* 22nd, *bp.* 27th January 1688 at the City Church, Edinburgh, Mr. John Dallas, writer, being one of the witnesses. She appears to have died young.
5. Marion, *bp.* 13th February 1691 at the City Church, Edinburgh. She appears to have died young.
6. Anna (Anne), *bp.* 12th August 1692 at the City Church, Edinburgh. She *m.* before 13th June 1714 (when her eldest son, Alexander, was born), Alexander Loraine, writer in and bailie of Dunse (*bp.* 23rd January 1689), only son of Alexander Loraine in Dunse by his wife, Margaret Yeaman, afterwards wife of John Dallas of Primrosehill: he *d.* before 5th August 1723, when his posthumous son, John Loraine, was baptized. On 4th August 1740 she was appointed to an annuity of £6 by her father. She *d.* in April 1747, her inventor and that of her sister Jane being given up together in 1749. By Alexander Loraine she had the following children:—
  - (1) Alexander Loraine, surgeon in Duns, *b.* 15th, *bp.* 20th June 1714.
  - (2) James, *b.* 26th July 1716, of Angleraw, writer in Duns, who was appointed executor to his grandmother 5th July 1743. He had an only son, Lieut. Alexander Loraine of the 42nd Regt. of Foot, afterwards Colonel Loraine of Oxendean.
  - (3) Archibald.
  - (4) Elizabeth, *b.* 31st January 1720.
  - (5) John Loraine, *bp.* 5th Aug. 1723 (posthumous).
7. Robina, had from her husband, George Ireland of

Drumsey, a bond, dated 8th November 1731, and written by Robert Blair, writer in Errol, for 1000 merks ; and he also gives her his household furniture over and above the provisions in her favour, his bond of provision dated 16th January 1731 and recorded in the Perth Sasines (vol. xx. pt. 2). He, as only son of James Ireland of Drumsey and Elizabeth Shaw his wife, also conveyed to her the lands of Pittendynie, Dunkeld, which were feued by David Smyth of Methven to James Ireland, his father, in liferent and to John Ireland, then his eldest son, in fee, on 1st September 1712 : in the event of children of the marriage her liferent to be restricted to 200 merks. She *d.* in September 1737, being then a widow, and her testament was given up by Anna Dallas, relict of Alexander Loraine, writer in Duns, Katherine Dallas, relict of William Reid, writer in Edinburgh, and Jean Dallas, residenter in Dunse, all sisters german executrices *qua* next of kind, the cautioner being James Loraine, writer in Dunse : the estate consisted of her husband's bond of provision of 8th November 1731. (*Commis. Ct.*, Edin.)

8. Katherine, *m.* Wm. Reid, writer, Edinburgh, 23rd January 1718 (*Edin. Mar. Reg.*), designed his relict when giving up the testament of her sister Robina. She died at Dunse on 15th January 1776, 'in her 84th year,' according to the *Scots Magazine*, but this must be slightly erroneous. By her will, dated at Dunse 25th August 1772, she made her nephew, James Lorain of Angleraw, Esq., her heir, directing him to pay to Elizabeth Lorain, her niece and his sister, £92, 4s. 5½d. ; to Nathan Dallas, her nephew, son of the deceased Walter Dallas, her brother german, merchant at Anapolis Royall in Baltimore county, Maryland, 1000 merks Scots ; to Catherine

Dallas, her niece, daughter of the deceased James Dallas of Cantray, 1000 merks; to James Dallas, writer in Edinburgh, her cousin, son of George Dallas of Parkly, W.S., £50 sterling; to Alexander Lorain, natural son of the deceased Alexander Lorain of Reedylock, surgeon in Dunse, her nephew, £36, 13s. 4d. sterling. In case of the death of Nathan Dallas his bequest of 1000 merks is to go to her cousin James Dallas, 'and the same nor no part thereof shall fall to the brothers, sisters, or any other representatives' of Nathan. There are a number of specific bequests to Elizabeth Lorain, the niece, and to James Dallas, the cousin; and to Alexander Lorain, only son of the said James Lorain, she leaves her silver snuff-box. By a codicil dated at Dunse 29th April 1773 she gives to John Lorain, late surgeon in Jamaica, now in Dunse, her nephew, £27, 10s. sterling, and restricts the provision to Elizabeth Lorain to £83, 4s. 5½d., and to Alexander Lorain to £27, 13s. 4d.

9. Janet, *m.* Marmaduke Dallas, litster Burgess, 25th November 1712. (*Edin. Mar. Reg.*)

By his second wife, Barbara Cockburn, James Dallas of St. Martins had issue:—

4. Robert, ancestor of DALLAS IN JAMAICA AND AMERICA.
5. Stewart, ancestor of DALLAS IN EDINBURGH.
6. Joseph, occurs 2nd April 1727, as witness of the baptism of Susanna, daughter of James Dallas of St. Martins, when he is described as 'son of St. Martins': of him nothing further is known, unless the following entry in *Edin. Mar. Reg.* refers to him:—'29 October 1758. Joseph Dallas Watchmaker in the College Kirk *m.* Ann Crichton dtr. of James Crichton journeyman wright now in Lady Yester's parish.'
7. William, ancestor of DALLAS-YORKE OF WALMSGATE.

10. Agnes, appointed by her father's bond of provision, dated 29th May 1739, to a share in a sum of £416, 13s. 4d. She was served one of the heirs portioners of her father, 28th May 1746; and on 24th April 1748 she was *m.* at Craigleith to William Elliot, writer, Edinburgh, son of Wm. Elliot, writer, and Margaret Scott, daughter of Wm. Scott in W. Auchope, *m.* 8th October 1727 (*Reg. Old St. Paul's, Edin.*, and *Edin. Par. Reg.*), by whom she had the following children:—
  - (1) Cockburn Elliot, *bp.* 1st May 1749.
  - (2) Elizabeth, *b.* 8th December 1750.
  - (3) Mary, *bp.* 18th April 1752.
  - (4) William Elliot (posthumous), *bp.* at Hallyards, near Kirkliston, 21 March 1755, the sponsors being William Elliot, writer (the grandfather), William Dallas, and Lady Craigleith. (*Ibid.*)
11. Barbara, described as spouse of William Callender of Westerjaw, had sasine in an annuity of 500 merks, 18th October 1725. (*Reg. Sas., Edin.*) From the Parish Register of Falkirk it appears that their daughter Janet was baptized 8th February 1730, and another daughter, Clementina, 16th July 1741: the husband is described as a merchant in Falkirk, and it is said that after her marriage she was disowned by her father. (*Dallas v. Dallas.*) She was served one of the heirs portioners of her father, 28th May 1746; and is last found witness to the baptism of her niece, Cockburn, daughter of William Elliot, 1st May 1749.
12. Christian, served one of the heirs portioners of her father, 28th May 1746. She was a witness to the baptism of her niece Mary, daughter of William Elliot, 18th April 1752, and appears to have died unmarried.

13. Clementina, included in her father's bond of provision dated 29th May 1739. She was served one of the heirs portioners of her father, 28th May 1746, and on 15th November 1748 had sasine of certain life-rents in Falkirk and Linlithgow, presented to her by William Dallas, wright, burgess of Edinburgh, when she is described as spouse to Alexander Kennowie, barber in Linlithgow. Of her nothing further is known.

14. Henrietta, served one of the heirs portioners of her father, 28th May 1746. She married (1) William Morrison of Craigleith, and (2), on 10th November 1763, George Dallas, merchant, London. William Morrison of Craigleith, son of William Morrison of Prestongrange, had three sisters, (1) Katherine, wife of Wm. Lord Strathnower, eldest son of the 15th Earl of Sutherland, (2) Helen, wife of John, 2nd Earl of Glasgow, and (3) Jean, wife of John, 5th Viscount Arbuthnott, who were appointed heirs portioners of his estate, showing he left no issue.

Under their post-nuptial contract of marriage, dated 31st July 1730, and only registered 15th December 1749, Wm. Morrison, younger, of Prestongrange provided her with a yearly income of 1400 merks in the event of no issue. One of the witnesses to the deed was Wm. Boyle of Shewalton, brother to the Earl of Glasgow. The Trustees were John, Lord Boyle, and Robert Dundas of Arniston.

15. Mary, served one of the heirs portioners of her father, 28th May 1746. She witnessed the baptism of her niece, Cockburn Elliot, 1st May 1749. She was *m.* on 3rd December 1752 to Robert Gib, coachbuilder, Edinburgh. She was buried in Canongate, Edinburgh, 6th February 1781, aged 58 years.

16. Rachael, served one of the heirs portioners of her

father, 28th May 1746; *d.* before 14th September 1785.

17. Charlotte, *bp.* 15th January 1725 at Bothkennar. She was served one of the heirs portioners of her father, 28th May 1746. She had an annuity of £13 payable by her brother, Wm. Dallas, under certain obligations granted by him and mentioned in his settlement (Reg. 6th October 1785, Mackenzie, vol. 235).
18. Susanna, *bp.* 2nd April 1727 at Bothkennar, the witnesses being John Callender of Westertoun and Joseph Dollace, son to St. Martins. She must have predeceased her father, as she is not one of those served heir to him.

GEORGE DALLAS, the eldest son and heir, was born 6th and baptized 7th June 1689, among the witnesses being George Dallas of St. Martins elder, and Mr. George Dallas 'his sone.' Such particulars of his life as have been found are derived principally from the record of the litigation which arose after his father's death in 1740. He received his education at the University of Edinburgh, but whether he graduated is uncertain. He was bred to the army and obtained a commission in the Dutch service, but this he must have resigned to join in the Rebellion of 1715, after which it is said his father would 'never give him a night's lodging.' From this time he appears to have lived in a state of indigence, his brother William declaring that he was a prodigal and spendthrift, vicious in his morals and practice, and that he had attempted his father's life. These charges were made on 15th November 1758, but must have referred to the time immediately subsequent to the '15, as well as another statement of the brother that 'he was a Papist, and that he should have been hanged.' After the rupture with his father he became a 'Schoolmaster in the City of Edinburgh, teaching the Children of People of low Circumstances to read English,'

and so straitened were his means that on 21st October 1720 he granted to 'Walter, his third Brother . . . for a very trifling Consideration, a Conveyance of his Right to the whole Stirlingshire Estate, to take place upon their Father's death.'

On 15th November 1733, when his father executed the entail of North Newton in his favour, he reserved a power to alter and to burden the estate with debt, and declares that, 'to his great Grief, he was too well convinced of his [George's] bad Management and Readiness to contract Debts ; therefore he debarrs him from all Management of his Estate, without the Consent of the two nearest Heirs of Entail, residing within 20 Miles of it.' This entail was, however, practically annulled by the conveyance of 4th August 1740, already cited, by which George was appointed to an annuity of £15, and his son James, after his father's death, to one of £7, 10s. On his father's death the estate, in accordance with this conveyance, passed into the hands of William Dallas, but the heir 'had long before this been totally neglected by his Father, and reduced to the lowest Poverty and Want, so as to be relieved and supported as an Object of Charity,' and was therefore by no means reluctant to ratify the various deeds which had been executed by his father in favour of the son William, which he did by a deed dated 15th January 1741, whereupon William 'instantly paid George the Sum of 7*l.* 10*s.* as his half Year's Annuity from Martinmas to Whitsunday 1741, and bound himself to pay him the like Annuity quarterly during his Life, and after his Death to pay his Son James his Annuity of 7*l.* 10*s.* during his Life.'

Shortly afterwards Robert Paterson, a Writer to the Signet, and described as a cousin of Elizabeth Stewart, the wife of William's elder brother, Stewart Dallas, intervened in the affairs of the family, and acquired a number of debts due by the estate, including the widow's jointure and other small sums, amounting in all to £1088, 6*s.* 8*d.* sterling : the assignment of these debts was ratified by George 1st April

1742, when he bound himself to pay the accumulated sum 'against to 10th April, then instant, with 216*l.* 13*s.* 4*d.* Sterling Penalty, and Interest of the said accumulated Sum after that Day.' On the same day Paterson conveyed his rights with respect to this assignment to William Dallas, by whom, on 13th April 1742, George was charged to enter heir in special to his father, in his lands and estate, and on 7th July 1742 William obtained an adjudication against George of the whole estate for an accumulated sum of £15,815, 12*s.* Scots (£1317, 19*s.* 4*d.* sterling), upon which a Charter was granted and William duly infeft.

The troubles of the heir did not end here. He had apparently borrowed sundry small sums from time to time from one David Miln, who ultimately got from him a note for £20 sterling, and then an assignment of his annuity, conditionally on his obliging himself to educate and support George's youthful son. Miln conveyed this assignment to William, 6th December 1742, and George, being now left entirely without means, betook himself to the West Indies. Of his life there little is known, but when, after his death, an inquiry was instituted as to his character and capacity, Alexander Wilson of Glanderston deposes—'That he was acquainted with George Dallas in the West Indies from 1748 to 1750, when he employed him to teach his two Sons.—That he did not take him to be a Man of much Understanding; nor did he think him fit to transact any Business of Consequence; and the Deponent would not have trusted him with any Business of Consequence of his own.' Those who had known him earlier in his life do not concur in this severe condemnation of his judgment, though one of them declared him to have been 'a weak, rattling, volatile man,' who 'frequently told Stories, which the Deponent doubted the Truth of.' It is stated that he 'went to America as an articed Servant, where he died in 1752.'

Of his marriage nothing definite is known. He is, how-



ever, said to have 'buckled himself in a disgraceful marriage,' and it is further stated that his widow married a saddler in Glasgow after his death, and 'bears a fair character.' He appears to have had but one child.

JAMES DALLAS, the son and heir, was in 1742 entrusted by his father to the care and custody of David Miln, but shortly afterwards he appears to have been befriended by his uncle William, though his friends assert that he 'kept him in the Country some Years, as a Servant Boy, in the lowest Station.' It is further stated that James was 'rescued' from the custody of William by his uncles James and Stewart, and when later Alexander Dallas, a silk-dyer in Edinburgh, intervenes, he declares his interference was not a matter of choice, but because in his younger days he had been obliged to James Dallas, uncle of the heir, when at London, and James Dallas, when he had rescued his nephew from William Dallas, in his last moments exacted a promise from Alexander that he would see justice done to the nephew James.

From this time Alexander seems to have cordially espoused the cause of James, who on 1st March 1754 was served heir of provision general to his grandfather, James Dallas of St. Martins. Upon this he granted to Alexander, 'who had maintained, educated, and supported him a considerable Time, not only a Bond of 217*l*. Sterling, then justly due to him, but also by Council's Advice, a Trust-Bond for 3000*l*. Sterling, whereupon having obtained a Decree of Adjudication of the whole Stirlingshire Estate,' they 'brought their first Action in the Court of Session, for setting aside the Entail made by James Dallas, in 1733, as irrational, and contrary to, and in prejudice of, his antecedent Engagements, under his Marriage Articles of 1683.'

It would be tedious to follow the course of the prolonged legal proceedings which followed. In the result the settlement of 1733 was annulled and that of 1683 affirmed by the

Court, and the estate of North Newton passed from William to James and his trustee Alexander Dallas.

As evidence of the maintenance by Alexander of the youthful heir, it is interesting to note that one of the witnesses of the baptism of a daughter of Alexander, 25th April 1750, is 'James Dallas of St. Martins,' who is described as 'living in the Tron Church parish,' and, similarly styled, he witnessed another such baptism on 13th November 1754.

In the course of the proceedings a compromise was entered into whereby, under a minute of agreement, dated 15th August 1754, and registered 30th April 1773, William Dallas and James Dallas referred the questions in dispute to Andrew Macdonald of Kingseat and Andrew Pringle, advocate, as arbiters.

On 23rd February 1767 James Dallas had a Crown charter of the lands of Newton, in the parish of Bothkennar, Stirling-shire (*Gen. Reg. Sas., Minute-Book*, cccxiv. fol. 281); and on 19th October 1770 it is recorded in the Register of St. Cuthbert's, Edinburgh, that 'Mr. James Dallas of St. Martins and Martha Muir, daughter of the deceased James Muir, late baker in Colinton, irregularly married formerly, now submit to Church discipline.' He died without issue before 23rd February 1774, when under a deed of settlement executed by him he was succeeded in the estate of North Newton by his friend and trustee, Alexander Dallas of NORTH NEWTON.

The following deeds explain the above transactions:—'I James Dallas only child of deceased George Dallas who was eldest son of the also deceased James Dallas of North Newton and heir of provision served and retoured to my said Grandfather whereas I have been engaged in a lawsuit before the Lords of Session to vindicate my right and title to my said Grandfather's Estate which has been possessed by William Dallas my uncle since November 1740 the sole expense of which process has been defraided by my worthy friend Mr. Alexander Dallas Silk Dyer in Edinburgh as well as the expense of my maintenance etc. for several years past and

that the period of this lawsuit is uncertain and that my nearest relations whose duty it was to assist me have taken side with my uncle I think it but just to give this testimony of gratitude to my benefactor and his family and to neglect blood relations whose conduct has forfeited all claim to my friendship. Therefore I grant and assign failing myself and heirs lawfully procreated of my body the provisions power and faculty after mentioned to and in favour of my much esteemed friend Alexander Dallas, Silk Dyer in Edinburgh, and in case of his decease before me to and in favour of James Dallas surgeon his second son and the said James Dallas his heirs and assignees whatsoever all and whole the Lands of Newton and others in the parish of Bothkennar and all other lands which do belong to the said James Dallas my Grandfather and to which I have a right as heir of provision. The said Alexander Dallas or failing him the said James Dallas can sell use or otherwise dispone the said lands at their pleasure and to persecute and follow the said process and other process of reduction of certain deeds procured by William Dallas from my Grandfather. If the said Alexander Dallas succeeds to my estate he must promise to pay any debts belonging to me also all donations written by my hand to stated relations and friends. Also he shall secure the free reversion of my Estate in fee to the said James Dallas his second son which I declare no debt of him shall affect the said James. Only he shall have liberty to burden the said free reversion of my Estate with Bonds of provision in favor of his daughters Janet and Sarah to the extent of one-third of said free reversion in such proportion as he thinks proper. If said Alexander Dallas predeceases me the said James shall conform to those same instructions. In case of decease of either Janet or Sarah Dallas before the said term of payment the survivor shall only get one-sixth part. Signed at Whitehouse near Edinburgh 13th September 1765. (Sgd.) James Dallas wits. Walter Ferguson and Alexander Ferguson.' (Mackenzie, vol. 209.)

The above deed is followed by the settlement by James Dallas, dated 15th October 1770, and registered 28th January 1771, under which he left everything he possessed, including an annuity of £30 per annum, to Martha Muir, his spouse.

There is evidence that not only did George Dallas incur the disfavour of his father, but also his brothers James and Walter fell into disfavour with their father, for in the deed disposing his moveable estate to his son William, he expressly states that owing to the mismanagement of his sons George, James, and Walter, he makes such disposition.

## DALLAS OF PARKLEY

GEORGE DALLAS OF PARKLEY, baptized 4th December 1667 in Edinburgh, was the second surviving son of George Dallas of St. Martins. He was probably educated at the University of Edinburgh, as on 12th August 1686 he occurs, described as Mr. George Dallas, as the writer of a charter in favour of his father of the lands of Davidstoun, Neilstoun, and Navitie. On 26th April 1688 he had sasine for himself and as attorney for Agnes Riddell, his wife, on a charter of adjudication by the Provost, Bailies, and Council of Edinburgh of certain lands and tenements in South Leith, and also half of an annual rent of 20 shillings Scots furth of certain lands there (of which the boundaries are given) which were adjudged from John Penman, younger, merchant in Edinburgh, by Agnes Riddell and her tutrix on 11th March 1685 for a debt of 1250 merks, the said Agnes Riddell and Isobel Riddell, her mother and tutrix, disponing them to George Dallas in terms of their Contract of Marriage, dated 20th March 1688. (*Great Seal*, vol. 72, No. 69.) The charter is dated at Edinburgh, 25th April 1688. (*Reg. Sas.*, Edin., xlv. fol. 159.) As a witness of the baptism of a daughter of Mr. William Dallas of Budgate, on 30th January 1690, he is styled 'of Glenurquhart,' but on 13th January 1692 he and his spouse, Agnes Riddell, had a Crown charter of the lands of Meikle Parcley disposed to them by Thomas Dalzeel of Binns (*Reg. Mag. Sig.*, lxxii. No. 164), and thereafter he is designated 'of Parkley.' His charge over the barony of Cockburn in this year has already been narrated in the account of James Dallas of St. Martins, where also some further particulars of

his dealings are recorded. He was admitted a burghess of Linlithgow in 1697.

In 1703 he was elected to represent West Lothian in the Scottish Parliament, but objection was taken to his election 'that he instructed not his right to fourty shilling Land of old extent distinct from the few-duties nor to lands lyable in publict burdens for four hundred pounds of valued rent, And the answer being considered with an Extract from the valuation books of the shire bearing the Lands to be valued to four hundred and two pounds, The objection was Repelled without a vote.' (*Act. Parl. Scot.*, xi. 52, 62.) On 5th August 1704 the Parliament having taken 'to their consideration the danger that still threatens this Kingdom by reason of the continuance of the present war,' proceeded to appoint persons for ordering and uplifting supply, the laird of Parkley, the Duke of Hamilton, the laird of Newhalls, and others being nominated Commissioners for the shire of Linlithgow. (*Ibid.*, 133, 144.)

He occurs as cautioner on his son's admission to the office of Notary Public on 13th November 1717, but the date of his death has not been ascertained. His wife, Agnes Riddell, was second daughter of Walter Riddell of Minto by his second marriage with Isobel Riddell, by whom he had issue :—

1. Walter, *bp.* 5th February 1692 in the Edinburgh City Parish, the witnesses being Mr. Robert Stewart, advocate, Mr. William Dallas, W.S., and George and James Dallahses, elder and younger, of St. Martins.
2. George, his father's successor.
1. Isobel, *b.* 2nd, *bp.* 6th September 1689 in Edinburgh City Parish. She *m.* Henry Antonicus, late deacon of the wrights, on 15th July 1733; their daughter Esther was *b.* 11th, *bp.* 15th December 1734 in Edinburgh, the witnesses being George Dallas, W.S., John Antonicus, wright, and others. Their daughter

Margaret *m.* James Dallas, writer in Tron, 23rd May 1763. (*Edin. Mar. Reg.*)

2. Elizabeth, *bp.* 16th November 1690, in Edinburgh City Parish.
3. Agnes, *m.* 23rd May 1714, at Linlithgow, to George Cuninghame of Clonbeth. (See MILLER, Burke's *Landed Gentry*, 1836.)
4. Janet, who was *m.* to John Johnston, glover, burgess of Edinburgh; marriage contract dated 26th June 1735, and recorded 22nd December 1743. (Dalrymple, 154.)

GEORGE DALLAS OF PARKLEY, the eldest surviving son, was born about 1696, and in 1714 was a student of Marischal College, Aberdeen. He compeared 13th November 1717, being then a writer in Edinburgh, aged twenty-one years or thereby, with presentation dated 11th November, and after examination was admitted a notary, George Dallas of Parkley, his father, being cautioner: his motto is *Lux venit ab alto*. Having been apprenticed to George Wilkie, W.S., he was admitted to the Society of Writers to the Signet, 17th June 1723. On 5th December 1728 he married Susanna More 24th December 1748 (*Edin. Par. Reg.*), daughter of James Mure of Earnshaw, who died 1st July 1747. (*Ibid.*) He died 25th March 1779, aged eighty-two years (*Ibid.*), having had issue:—

1. James, *b.*, according to the Bible record, 9th December, but according to the *Edinburgh Parish Register*, *b.* and *bp.* 9th February 1732. He is mentioned in the will of Catherine Dallas, widow of William Reid, 25th August 1772, and *d.* before his father, 6th April 1776, his testament being given up 16th May thereafter. He *m.* Margaret Antonius, daughter of Henry Antonius, deacon of the wrights, by whom he had issue:—

1. George, described as a minor in the will of his

sister Catherine, 28th April 1780. On 10th June 1802 he was served heir general to his mother, Margaret Antonius, wife of James Dallas, writer in Edinburgh, when he is designed 'merchant in Christiania.' He should, in ordinary circumstances, have succeeded his grandfather in the lands of Parkley, but these passed to his uncle, George Dallas. But little has been discovered with reference to George Dallas while resident in Christiania, but in 1791 and in 1793 'Merchant Dallas' is found in the capacity of godfather there, and is believed to have left the town early in the following century. An examination of the documents in the Public Record Office of Christiania discloses certain facts with reference to the Dallases there which it is difficult to reconcile with the Scottish genealogy. George Dallas is described as a Scotchman, but as having been a German 'Under officer' at Hamburg. He appears to have been the father of three children:—

(1) Michael, who *m.* Marie Hammond, and had a son George, a merchant in Christiania, and a daughter Susanne Baar, *b.* at Hamburg in 1778, *m.* 25th June 1793, the Rev. Vincent Stoltenberg Bull, perpetual curate of Vang in Hedemarken (*b.* 1768, *d.* 1836), and *d.* in 1815, having had, with other issue, James Dallas Bull and Georg Dallas Bull.

(2) Johanne Marie Elizabeth, *b.* in Hamburg 1st March 1764, where she was engaged as a 'dancer' until on 19th May 1782 she *m.* Frederik Glad, landowner at Grefsen by Christiania, by whom she had thirteen children, one of whom was Major-General Glad. She *d.* at Grefsen 5th November 1837, and with her husband was buried in the churchyard of Gamle Aker.

(3) A daughter, *m.* to Andreas Lie, a teacher in



the Military Academy at Christiania, and from the year 1778 a sworn broker there ; she appears to have had a son Georg Dallas Lie, *b.* in 1800.

Though the name Susanne is significant of relationship with Susanna Mure, the wife of George Dallas of Parkley, the date of the birth of Mrs. Bull, if correct, makes it impossible that she should have been a great-granddaughter of James Dallas and Margaret Antonius.

2. James, mentioned as a minor in 1780 in the testament of his sister Catherine, and is mentioned as in India in the will of his sister Isabel, dated 19th March and recorded 4th April 1794.

3. Henry, also a minor in 1780. He became a shoemaker in Edinburgh, and *m.* on 5th August 1789 Mary, daughter of Balantyne, farmer in Balado, near Kinross.

1. Catherine, *d.* in Edinburgh in January 1779. Her testament dative, which describes her as daughter of the deceased James Dallas, writer in Edinburgh, is given up by Margaret Antonius, 'widow of the said defunct' [referring evidently to the father], and tutrix and testatrix appointed by the commissariat of Edinburgh to George, James, Henry, Isabell, and Susannah More Dallas, pupils and minors *ad hunc effectam* to give up inventory, etc. They are brothers and sisters german of the deceased Katherine. She owned at her death £5 sterling, being part of the sum of £52 sterling bequeathed to her by the deceased Katherine Dallas, lawful daughter of the deceased James Dallas of St. Martins, and relict of William Reid, writer in Edinburgh, residing in Duns, conform to her disposition and settlement in favour of James Lorain of Appleraw [*i.e.* Angleraw], Esquire, her nephew, dated 26th December 1775, registered

in the Sheriff Court Books of Berwick 18th January 1776, William Kerr, landwaiter in Leith, being cautioner. The testament was confirmed 28th April 1780.

2. Isabel, under her settlement dated 19th March 1794, left legacies to her brothers George and James, and sister Susan, but nothing to her other relatives, who had neglected her in her lifetime.

3. Susanna More, also a minor in 1779, and is mentioned as in Christiania in her sister's will.

II. George, who succeeded his father in the lands of Parkley.

III. Gavin, *b.* 3rd, *bp.* at Old St. Paul's, Edinburgh, 5th June 1736, witnesses being Jo. Stewart of E. Binnie, Mrs. Elizabeth Stewart, his daughter, and Mrs. Reid.

IV. John, twin with Gavin, appears to have died at birth. (*Bible.*)

v. William, *b.* 7th November 1739. (*Ibid.*)

VI. Charles, *b.* 7th December 1740. (*Ibid.*)

VII. Walter, *b.* 13th March 1743. (*Ibid.*)

VIII. Henry, *b.* 20th November 1745. (*Ibid.*)

I. Agnes, *b.* 4th May 1733. (*Ibid.*)

II. Susanna, *b.* 30th June 1738 (*Ibid.*), *m.* 9th November 1766, Andrew Lees, peutherer, Edinburgh.

III. Margaret, *b.* 30th August 1744. (*Ibid.*)

IV. Janet, whose birth is not recorded in the Parkley Bible. The particulars of her marriage are, however, disclosed in an action at law in which Jean Thomson, spouse to George Dallas, writer and accomptant in Edinburgh (p. 291), sues Hugh Mackaile, writer in Edinburgh, under singular circumstances. This Hugh Mackaile had an only son Walter, who was bred a ship-carpenter at Borrowstounness, and having become pretty much master of his profession was desirous of finding a wife. Jean Dallas under-

took the office of 'marriage-maker,' as is recorded in a letter of Hugh Mackaile to George Dallas, dated at Edinburgh, 16th March 1767, explaining that Mrs. Dallas had promised, 'at the earnest and importunate desire of my wife, our son Walter M'Kaile master ship-builder in Borrowstounness, and myself, to find out, give notice of, and recommend to us, a virtuous young gentlewoman . . . for a wife and meet-help to our son,' for which service he agrees to make a payment of ten guineas on the conclusion of the marriage contract. On 8th May following the name of 'Miss Dallas' was first submitted to the Mackailes, but the father desired time for consideration, and on 4th June the son made overtures on his own account to a Miss G. His letter was, however, returned to his mother with a 'peremptory refusal,' and he then, on 12th July, wrote Mrs. Dallas that he was 'very well pleased' with her suggestion that he should marry 'Mr. Dallas of Parkley's daughter.' A meeting between the two was next proposed, the suggestion being that they should meet at the young lady's home or in a friend's house in Linlithgow, but to this on 24th August she objects that 'she has no person she can make her confident in this matter, and that she knows her father and brother are perfectly averse to the match.' However, on 31st August she wrote from Parkley, appointing a meeting with Mackaile 'on the foot-road that comes up to Parkley, a little above Mrs. M'Fun's,' reiterating the statement that her friends are opposed to the match, and asserting that Walter 'will not get a farthing with me,' signing 'Janet Dallas.' In correspondence of about this date Mackaile speaks of Mrs. George Dallas as the 'good-sister' of his prospective bride, and her husband is described as

cousin of Mr. Dallas of Parkley, W.S. No further let occurred, and in due course appears a certificate by George Dallas to the following purpose:— ‘Tuesday the 27th October 1767, in the Afternoon they were lawfully married there [*i.e.* in the house of George Dallas] by the Reverend Mr. Butter, qualified Episcopal Minister in Edinburgh, in presence of Mr. Silver of London, Student of Physic in Edinburgh, Mr. Brodie, son to, and Partner with, Mr. Brodie, Merchant-wright there, and myself, my Wife, and our Daughter Georgina Dallas; and the Bridegroom and Bride slept together, the said 27th and 28th October, in my House. G. D.’ Shortly afterwards they visited Parkley, where they were received with ‘the greatest cordiality by the bride’s father,’ but the marriage did not turn out happily, and in a short time Walter Mackaile became bankrupt and was obliged to leave the country. The elder Mackaile refused to pay the ten guineas promised to Mrs. Dallas, and the claim was brought before the Bailies of Edinburgh, who, ‘in respect it is not denied, that the Marriage betwixt the Defender’s Son and Janet Dallas arose from the Suggestion and Recommendation of the Pursuer’s Wife; and in respect it is not alledged, but the said Janet Dallas is a virtuous young Gentlewoman, of a good Reputation and Character, . . . found the Defender liable for the Sums libelled, and decerned.’ The case was, however, carried further, and came finally before the Lords of Session, who on 14th February 1770 ‘Find that no action lies on the obligation lybelled. The Court was unanimous in this decision and the ground upon w<sup>h</sup> they went was that such pactions are *contra bonos mores*, and if sustained must open a door to the most pernicious conse-

quences. The Circumstances of this case & behaviour of the parties here were highly blameable and therefore the Court gave Expenses. But the *Ratio decidendi* was the general consideration of the Bargain being *pactum illicitum*.' Nothing has been found as to the subsequent career of Walter Mackaile, but the Parkley Bible records the death of Janet Dallas on 30th June 1799: this can be no other than Mrs. Mackaile.

GEORGE DALLAS OF PARKLEY, the second son, succeeded his father in the lands of Parkley, but no explanation has come to light of the exclusion of his elder brother James's issue from the succession. He was born 19th January 1735 (*Bible*), and was 'irregularly married' at Linlithgow, 1st July 1783, to Helen Gilchrist. He died 26th August 1802, leaving an only child.

HELEN DALLAS OF PARKLEY, whose marriage to Mr. Thomas Baird, surgeon, Linlithgow, was proclaimed at Linlithgow 16th and celebrated 26th June 1805, had issue, George Dallas, born 7th August 1806, and James and Helen (twins), born 3rd April 1809 (*Bible*), Marion, baptized 27th July 1812, Susanna, baptized 26th August 1815, and Janet Bertram, baptized 7th November 1817, who died at Linlithgow a few years ago, and was the last of her race.

## DALLAS OF DALLAS CASTLE, JAMAICA

ROBERT DALLAS OF DALLAS CASTLE, Jamaica, was the eldest son by the second marriage of James Dallas of North Newton, eldest son of George Dallas of St. Martins. We deal with his family later on when noticing the America families.

## STEWART DALLAS OF CASTLEBARNs

STEWART DALLAS was the second son of the second marriage of James Dallas of North Newton, eldest son of George Dallas of St. Martins. He was a wright in Castlebarns, Edinburgh, and married Elizabeth, third daughter of John Stewart of Binny, by whom he had the following children: (1) William, *b.* 6th, *bp.* 7th November 1745 (*St. Cuthbert's Par. Reg.*), *m.* 24th March 1795 (*Edin. Par. Reg.*), Isobel, daughter of Peter Turner, wright in Haddington; (2) Henrietta, *b.* 24th November 1747, *bp.* 10th January 1748; (3) James Walker, *b.* at Ayr, 19th January 1755, *bp.* 27th January 1755; (4) Joanna, legatee of her brother in 1795. Stewart Dallas appears to have removed about 1755 to Ayr, where his son James Walker was born. He thereafter returned to Edinburgh.

In 1772 William Dallas took the opinion of Hay Campbell, advocate, as to whether he could reduce the proceedings under which Alexander Dallas, silk-dyer, had acquired the lands of North Newton. Counsel pointed out that, while he might overcome the difficulties presented, the estates had been so burdened that he would gain no pecuniary advantage by adopting such proceedings. His uncle, Robert Dallas of Dallas Castle, afterwards referred to, under his will, proved 20th December 1769, left him and his sister, Henrietta, each a legacy of £20 for mournings. He is designated in that will as millwright in Jamaica.

Under his will, dated at Leith Walk, 3rd October 1795, William Dallas left a James Dallas, Kirkcaldy (relationship not stated), a legacy of £100 for his upbringing, as well as his